

**Agenda for the 50th meeting of the Board of Approval to be held on 24th January 2012
at 10.30 A.M. in the Room No. 47, Udyog Bhawan**

Item No. 50.1: Proposals for setting up of SEZs

S. No	Name of the Developer	Location	Sector	Area (in ha)	Land Possession	SGR*	Status of application
(i)	Tata Consultancy Services Limited	Indore, Madhya Pradesh	IT&ITES/BPO/KPO	40.469	Yes	Yes	New
(ii)	M/s. Cochin Port Trust	Southern end of Willingdon Island, Survey No. 2578/4, 1166, Thoppumpady Ramesaram village	FTWZ	40.85	Yes	Yes	New
(iii)	M/s. Kakinada SEZ Private Limited	Ponnada, Mulapeta, Ramanakkapeta villages in Kakinada, East Godavari District, Andhra Pradesh	Multi Product	1013.6	Yes	Yes	<i>Deferred in the BoA meeting held on 28th November, 2011 due to non receipt of SGR</i>
(iv)	M/s. PRP Granites Exports	Kalkurichi, Chandran Kulam and Mallankinari Villages, Kariyapati Taluk, Virudhnagar District, Tamil Nadu	Granite	104.373	Yes	Yes	<i>Deferred in the BoA meeting held on 28th November, 2011 due to non receipt of SGR</i>
(v)	M/s. SEZ Bio-Tech Services Private Limited	Manjri Budruk, Taluka Haveli, District Pune, Maharashtra	Biotechnology	11.50675	Yes	No	New

*State Government's Recommendation

Item No.50.2: Requests for co-developer

(i) Request of M/s. Air Liquide India Holding Private Limited for co-developer in the sector specific SEZ for Solar at village Mahroomkurd and Chawardhal District, being developed by M/s. Lanco Solar Private Limited

The above mentioned SEZ was notified on 31st January, 2011 over an area of 101.282 Ha. M/s. Air Liquide India Holding Private Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for setting up of construction and development of industrial & speciality gas production and related infrastructure over an area of 1750 sqm. Co-developer agreement dated 14th September, 2011 entered into with the developer has also been provided. DC, VSEZ has recommended the proposal. The request of the co-developer is submitted for consideration of BoA.

(ii) Request of M/s. SGS India Pvt. Ltd. for co-developer in the sector specific SEZ for Food Processing at Tuticorin District, Tamil Nadu, being developed by M/s. CCCL Pearl City Food Port SEZ Limited

The above mentioned SEZ was notified on 23.04.2009 over an area of 119.145 hectares. M/s. SGS India Private Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for setting up a food testing lab facility and offer food testing and certification services over an area of 5000 square feet. The proposal was considered in the meeting of the BoA held on 19th September, 2011 and was deferred. DC, MEPZ has requested for reconsideration of the proposal stating that the applicant has stated that:-

- (i) they would buy only capital and initial set up items in a duty and tax free manner
- (ii) they would keep separate books of revenue for receipts from DTA and SEZ units
- (iii) they shall not claim any IT holiday for DTA revenues
- (iv) all DTA billing will be done with applicable Service Tax
- (v) all consumables shall be bought only by paying applicable duties and taxes till the day that they cease to test DTA samples.

The proposal is placed before BoA for consideration.

(iii) Request of M/s. Basix Academy for Building Lifelong Employability (B-ABLE) for co-developer in the sector specific SEZ for Food Processing at Tuticorin District, Tamil Nadu, being developed by M/s. CCCL Pearl City Food Port SEZ Limited

The above mentioned SEZ was notified on 23.04.2009 over an area of 119.145 ha. M/s. B-ABLE has submitted a proposal for becoming a co-developer in the aforesaid SEZ for setting up a skill development Center, over an area of 2000 square feet, in the processing area of the SEZ. The proposal was considered in the meeting of the BoA held on 19th September, 2011 and was deferred. DC, MEPZ has requested for reconsideration of the proposal stating that the applicant has stated that:-

- (i) they will maintain separate books for those getting trained from outside and for those who are trained from the units itself.
- (ii) they are willing to forego IT benefits if any for the revenues received from those coming from outside the SEZ,
- (iii) they will buy only capital and initial set up items in a duty & tax free manner
- (iv) all DTA billing will be done with applicable Service Tax.
- (v) all consumables will be bought only by paying applicable duties and taxes till the day that they cease DTA service.
- (vi) Skill Development Centre shall be located immediately near the entry and exit gates and ID badge will be provided to the DTA trainees.

The proposal is placed before BoA for consideration.

(vi) Request of M/s. Villavarayar & Sons for co-developer in the sector specific SEZ for Food Processing at Tuticorin District, Tamil Nadu, being developed by M/s. CCCL Pearl City Food Port SEZ Limited

The above mentioned SEZ was notified on 23.04.2009 over an area of 119.145 ha. M/s. Villavarayar & Sons has submitted a proposal for becoming a co-developer in the aforesaid SEZ for setting up of 100 tons electronic weigh bridge, installation & operation, over an area of 1 acre. Co-developer agreement dated 1st August, 2011 entered into with the developer has also been provided. DC, MEPZ has recommended the proposal. The request of the co-developer is submitted for consideration of BoA.

(v) Request of M/s. Virtus IT Services Private Limited for co-developer in the sector specific SEZ for IT/ITES at Attipra, Taluk and District Thiruvananthapuram, Kerala, being developed by M/s. Electronics Technology Parks - Kerala

The above mentioned SEZ was notified on 19th November, 2009 over an area of 11.8765 Hectares. M/s. Virtus IT Services Private Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for providing infrastructure facilities and development of IT sector industry, over an area of 50.2 cents. Co-developer agreement dated 16th December, 2011 entered into with the developer has also been provided. DC, CSEZ has recommended the proposal. The request of the co-developer is submitted for consideration of BoA.

(vi) Request of M/s. Cyber Parks, Kozhikode for co-developer in the sector specific SEZ for IT/ITES at Kozhikode District, Kerala, being developed by Kerala State Information Technology Infrastructure Limited

The above mentioned SEZ was notified on 27th May, 2011 over an area of 10.1210 ha. M/s. Cyber Parks, Kozhikode has submitted a proposal for becoming a co-developer in the aforesaid SEZ for development of IT infrastructure, over an area of 4.3 acres. Co-developer agreement dated 16th December, 2011 entered into with the developer has also been provided. DC, CSEZ has recommended the proposal. The request of the co-developer is submitted for consideration of BoA.

(vii) Request of M/s. Adani International Container Terminal Private Limited (AICTPL) for becoming a co-developer in the Multi Product SEZ at Kutch, Gujarat, being developed by M/s. Mundra Port and Special Economic Zone Limited (MPSEZL)

Multi Product SEZ at Kutch, Gujarat by M/s. Mundra Port and Special Economic Zone Limited stands notified over an area of 6472.8684 hectares. The request of M/s. Adani International Container Terminal Private Limited, a 100% subsidiary of the developer, for becoming a co-developer in the aforesaid SEZ to develop, operate and maintain container terminal and related infrastructure facilities & services, over an area of 43 hectares was considered in the BoA meeting held on 28th November, 2011 and was deferred. The minutes are as under:-

It was observed by the representative of the Department of Revenue that the land proposed to be leased to the co-developer is under reclamation and sought deferment of the proposal till the land is added to the SEZ. DoR also

requested that financial details of the proposal may be provided. Board, deferred the proposal on DOR's request and asked DC to clarify the issue raised by DoR.

A report dated from DC Mundra Port SEZ has been received which is at **Annexure - 1**. DC has informed that the land is already a part of the SEZ. DC has also enclosed the financial details of the proposal.

The proposal is submitted for consideration of BoA.

(viii) Request of M/s. Flagship Developers Private Limited for co-developer in the sector specific SEZ for IT/ITES at village Hinjewadi, Taluka Mulshi, District Pune, Maharashtra being developed by M/s. Neopro Technologies Private Limited (Formerly Flagship Infrastructure Private Limited)

The sector specific SEZ for IT/ITES at village Hinjewadi, Taluka Mulshi, District Pune, Maharashtra stands notified over an area of 10.1766 Ha. The developer viz M/s Flagship Infrastructure Private Limited (FIPL) has demerged into the following companies:-

- (i) M/s Flagship Infrastructure Private Limited (FIPL)
- (ii) Neopro Technologies Private Limited (NTPL)
- (iii) Flagship Developers Private Limited (FDPL).

The said de-merger has been done by the company bench of the Hon'ble High Court of Judicature at Bombay, vide order dated 14.10.2011, in Company Scheme Petition Nos. 504, 505 and 506 of 2011. The shareholders of all the three companies are common.

The developer (FIPL) has proposed to transfer ownership of all the land of their SEZ and the existing construction to M/s Neopro Technologies Pvt. Ltd. (NTPL), who shall replace them as Developer while Flagship Developers Pvt. Ltd. (FDPL) will utilize the balance/additional FSI available as per MIDC, DC Rules and shall introduce the same into the SEZ for additional/extra construction as per the said DC Rules and shall come in as co-developer. **The request of the developer for de-merger as stated above is under consideration in this meeting vide Item No. 50.23 (iv).**

M/s. Flagship Developers Private Limited has, accordingly, submitted a proposal, simultaneously, for becoming a co-developer in the aforesaid SEZ for development of 1.5 million sqft of IT space along with related development over an area of 5 Ha. A tripartite Co-developer agreement dated 19th December, 2011 has also been provided. DC, SEEPZ has recommended the proposal. The request of the co-developer is submitted for consideration of BoA subject to approval of the request at Item No. 50.23(iv).

(ix) Request of M/s. Khed Textile Park Private Limited for co-developer in the multi product SEZ at Taluka Khed & Shirur, District Pune, Maharashtra being developed by M/s. Khed Economic Infrastructure Private Limited

The above multi product SEZ stands notified over an area of 1000 Ha. M/s. Khed Textile Park Private Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for development of infrastructure facilities, covered under default authorized operations, over an area of 32.38 Hectares. Co-developer agreement dated 5th December,

2011 entered into with the developer has also been provided. DC, SEEPZ has recommended the proposal. The request of the co-developer is submitted for consideration of BoA.

(x) Request of M/s. Chella Software (P) Limited for co-developer in the sector specific SEZ for IT/ITES at Ilandhaikulam village, Madurai, Tamil Nadu being developed by Electronics Corporation of Tamil Nadu Limited (ELCOT)

The above mentioned SEZ was notified on 30th April, 2008 over an area of 11.6994 Ha. M/s. Chella Software (P) Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for development of infrastructure facilities, over an area of 0.91 Hectares. Co-developer agreement dated 29th June, 2011 entered into with the developer has also been provided. DC, MEPZ has recommended the proposal. The request of the co-developer is submitted for consideration of BoA.

Item No. 50.3: Requests for Authorized operations.

(i) Request of M/s. Mundra LNG Limited, for authorized operations as a co-developer in the Multi Product SEZ at Kutch, Gujarat, being developed by M/s. Mundra Port and Special Economic Zone Limited (MPSEZL)

Multi Product SEZ at Kutch, Gujarat by M/s. Mundra Port and Special Economic Zone Limited stands notified over an area of 6472.8684 hectares. In the BoA meeting held on 16th September, 2010 M/s. Mundra LNG Limited was granted approval for becoming a co-developer in the SEZ for development, operation and maintenance of following infrastructure facilities i.e. LNG Terminal, storage & re-gasification facilities, gas based power generation plant (capacity up to 2000 MW) and related facilities, over an area of around 136 hectares. The co-developer has now requested for the following authorized operations in the **processing area**:-

S. No.	Authorized operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
(1)	(2)	(3)	(4)	(5)
1.	LNG Receiving Terminal:			
	a) Jetty Platform	----	NA	1200
	b) Breasting and Mooring Dolphins	----	NA	1100
	c) Approach Trestle (including roadways & piping)	----	NA	14580
2.	LNG Storage Tanks	----	NA	12748
3.	Re-gasification facilities	----	NA	19000

The request has been recommended by the DC MPSEZ. The request is placed before the BoA for consideration.

(ii) Request of M/s. Adani International Container Terminal Private Limited (AICTPL), for authorized operations as a co-developer in the Multi Product SEZ at Kutch, Gujarat, being developed by M/s. Mundra Port and Special Economic Zone Limited (MPSEZL) [the consideration this item is subject to the grant of co-developer status to M/s AICTPL, under consideration vide item no. 50.2(vii) above]

Multi Product SEZ at Kutch, Gujarat by M/s. Mundra Port and Special Economic Zone Limited stands notified over an area of 6472.8684 hectares. In this BoA meeting the request of AICTPL is under consideration for grant of co-developer status to develop, operate and maintain container terminal and related infrastructure facilities & services, over an area of 43 hectares. M/s. ACTIPL has requested for the following authorized operations in the processing area:-

S. No.	Authorized operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
(1)	(2)	(3)	(4)	(5)
1.	Container Jetty and related facilities	----	NA	43740
2.	Container Yard and related facilities	----	NA	422750

The request has been recommended by the DC MPSEZ. The request is placed before the BoA for consideration.

Item No.50.4: Requests for third extension of validity of formal approvals

(i) Request of Karnataka Industrial Areas Development Board (KIADB) for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceuticals at Hassan, Karnataka, beyond 25th October 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 281.21 hectares, vide LoA dated 26th October 2006. The SEZ was notified on 18th December 2007 over an area of 109.295 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 25th October, 2011. The developer has requested for grant of further extension of validity of the formal approval. The developer has given the details of steps taken to implement the project and has stated that so far an amount of Rs. 32.38 crores has been spent for development works in SEZ. Four units have been allotted land in the SEZ, and one unit is at the final stage of implementation. DC CSEZ has recommended grant of further extension to the developer for a period of one year beyond the expiry of last extension.

The request is placed before BoA for consideration.

(ii) Request of M/s. G.P. Realtors Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at village Behrampur, District Gurgaon, Haryana, beyond 13th November 2011

The developer was granted formal approval for setting up the above mentioned SEZ, vide LoA dated 14th November 2006. The SEZ was notified on 4th May 2009 over an area of 18.86858 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 13th November, 2011. The developer has given the steps taken and has informed that it has already submitted application for approval of master plan and environment clearance. The developer needs more time to complete the project and has, therefore, requested for grant of extension. DC NSEZ has recommended grant of further extension for a period of one year from the expiry of last extension.

The request is placed before BoA for consideration.

(iii) Request of M/s. OSE Infrastructure Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Plot No. C-01, Sector 67, Noida, Uttar Pradesh beyond 5th November 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 10.12 hectares, vide LoA dated 6th November 2006. The SEZ was notified on 14th May 2007 over an area of 10.11753 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 5th November, 2011. The developer has given the details of steps taken to implement the project. The developer has also stated that Noida Authority has abnormally delayed for almost 3^{1/2} years, the clearance for FAR of 200 which is admissible in general for IT/ITES Projects at Noida and additional FAR of 50% applicable for the processing area as per U.P. SEZ (amended) policy, 2007 despite several reminders. Developer has stated that all papers for getting clearance from MOEF, digging permission, fire safety and height clearance are ready with them and all these clearances will be obtained within short period, as soon as approval of plans from Noida Authority is received. DC, NSEZ has recommended grant of extension further for a period of one year from the date of expiry of last extension.

The request is placed before BoA for consideration.

(iv) Request of M/s. Ascendant Estates Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Bondsi, Tehsil, Sohna, District Gurgaon, Haryana, beyond 5th November 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 15.20 hectares, vide LoA dated 6th November 2006. The SEZ was notified on 2nd May, 2008 over an area of 12.5975 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 5th November, 2011. The developer has requested for further extension stating that the development has been delayed in view of the procurement of additional land to address the limitations in the master planning of the total project and development and also due to the market factor. DC has informed that no effective steps has been taken towards implementation of the approved project after notification on 02.05.2008. **DC has, therefore, not recommended the request.**

The request is placed before BoA for consideration.

(v) Request of M/s. Ganesh Housing Corporation Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at village Chharodi and Tragad, Taluka Dascroi and City, District Ahmedabad, Gujarat, beyond 19th December 2011

The developer was granted formal approval vide LoA dated 20th December 2006. The SEZ stands notified over an area of 32.713 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 19th December, 2011. The developer has requested for further extension of the validity. DC KASEZ has informed that the developer has so far invested 46.18 crores mainly for acquisition of land. The developer would be investing approximately Rs. 36 crores in the next year and propose to make investment to the tune of Rs. 185 crores during the next 5 years for development of infrastructure. DC has, therefore, recommended grant of extension for a period of one year from the expiry of last extension.

The request is placed before BoA for consideration.

Item No.50.5: Delayed requests for extension of validity of formal approvals

(i) 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 24th October 2010.

Formal approval was granted vide LoA dated 25th October, 2006. The SEZ was notified on 28.9.2007 over an area of 13.5426 Ha. The developer was granted one extension of one year, the validity of which has expired on 24th October, 2010. The developer has made a delayed request for further extension of the validity. The developer has stated that since the Government of Uttarakhand did not finalize their SEZ Policy it was not possible to get the Master Plan approved nor was it possible for the units to avail the State specific concessions. Developer has, therefore, stated that the project has been delayed due to reasons beyond their control. NC, **NSEZ has not recommended** the request stating that the developer has not taken any effective steps for implementation of the project till date.

The request is placed before BoA for consideration.

(ii) 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 5th November 2010.

Formal approval was granted vide LoA dated 6th November, 2006. The SEZ was notified on 23.8.2007 over an area of 42.7045 Ha. The developer was granted one extension of one year, the validity of which has expired on 5th November, 2010. The developer has made a delayed request for further extension of the validity. The developer has stated the company is keen to implement the project. However, unfortunately, the title of a small part of the land notified as SEZ was defective, giving rise to gaps in contiguity of land. Additional 1 acre of land had, therefore, to be procured. Despite best efforts the land is yet to be procured. Developer has, therefore, stated that the project has been delayed due to reasons beyond their control. NC, **NSEZ has not recommended** the request stating that the developer has not taken any effective steps for implementation of the project till date.

The request is placed before BoA for consideration

Item No. 50.6: Request for grant of second extension of in-principle approval.

S. No.	Name of the Developer	Sector and area	Location of the SEZ	Percentage of land in possession of developer as on expiry of validity of in-principle approval
1.	M/s. Redi Port Limited	FTWZ, 40 hectares	Post Redi, District Sindhudurg, Maharashtra	In-principle approval was granted vide LoA dated 31 st December 2009. The developer has already been granted first extension, the validity of which was up to 30 th December 2011. The developer has requested for further extension stating that so far 8.11 ha of the land has been acquired. Further, due to various reasons the company is yet to get the Government land released from the Collector and, therefore, they not been able to make up the minimum land requirement of 40 ha. DC SEEPZ SEZ has recommended the request.
2.	M/s. Mumbai Futuristic Economic Zone Pvt. Ltd. <i>(Formerly Quippo Infrastructure Equipment Ltd.)</i>	Engineering, over an area of 250 hectares	Alibag, Raigad, Maharashtra	In-principle approval was granted to the proposal vide LoA dated 15.11.2006. Thereafter, de-novo in-principle approval w.e.f. 15.11.2009 was granted vide LoA dated 29.01.2010. Subsequently, one extension was also granted. The validity of which has expired on 15.11.2011. The developer has requested for extending the validity further stating that Government of Maharashtra has provided its approval for purchase of 234 ha of land for the SEZ. The developer has further informed that have successfully acquired over 100 ha of land for the SEZ. DC SEEPZ has recommended grant of further extension of the in-principle approval.

Item No. 50.7: Requests for grant of third extension of in-principle approval.

S. No.	Name of the Developer	Sector and area	Location of the SEZ	Percentage of land in possession of developer as on expiry of validity of in-principle approval
1.	M/s. Taneja Aerospace and Aviation Limited	Airport/Aviation including MRO, 101.1714 hectares	Denkarukottai Taluk, Hosur, Tamil Nadu	In-principle approval was granted vide LoA dated 21 st November, 2008. The developer has already been granted two extensions. The validity of last extension was up to 20 th November, 2011. The developer has requested for further extension of validity. DC MEPZ has informed that the developer has already acquired 74.0859 ha of land and expects to acquire the balance land within 6-9 months. In view of the above DC has

				recommended further extension of one year from the date of expiry of last extension.
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Item No. 50.8: Request for extension of in-principle approval beyond fifth year.

(i) Request of M/s. Bengal SREI Infrastructure Development Limited for extension of the validity of in-principle approval, granted for setting up of sector specific SEZ for Auto Components at Kharagpur, West Bengal, over an area of 200 Ha, beyond 21st June, 2011.

In-principle approval was granted vide LoA dated 25th October 2006. The developer has already been granted extensions from time to time. The validity of last extension was up to 21st June 2011. The developer has requested for further extension of validity stating that the company has already acquired 103.1983 acres of land and expects to complete the land acquisition within 9 months. The request was considered in the BoA meeting held on 19th September, 2011 and was deferred. The minutes are as under:-

“The Board sought a report from the Principal Secretary (Industry), Government of West Bengal about the justification for the request and the progress made in the implementation of the project. The Zonal DC concerned may take up the matter accordingly. Accordingly, the request was deferred.”

A report in the matter has been received from DC, FSEZ. The DC has forwarded a letter dated 14th November, 2011 from the Government of West Bengal recommending grant further extension to the developer and also intimating that the developer will be in a position to get the land required for the project very soon. DC, FSEZ has also recommended grant of further extension for a period of one year.

Item No. 50.9: Requests for increase/decrease in area

(i) Request of M/s. Karle Infra Project Private Limited for increase as well as decrease in area of the sector specific SEZ for IT/ITES/BPO SEZ at Nagavara village, Bangalore North Taluk, Karnataka

The above mentioned SEZ was notified on an area of 10.876 hectares on 12th December, 2008. The developer has requested for addition as well as de-notification of an equal area of 6.187 hectares, resulting in no change in the area of the SEZ. Developer has stated that the increase/decrease in area is due to change in master plan with respect to developer of the concerned area. Therefore, the re-alignment of the SEZ as proposed above has been sought by the developer. The developer has informed that no duty free benefits have been availed in respect to the area being de-notified. Further, the land proposed to be added is vacant contiguous and is in possession of the developer. DC CSEZ has recommended the proposal for re-alignment of the SEZ.

The request of the developer for increase as well as decrease in area of the SEZ is submitted for consideration of the BoA.

(ii) Request of M/s. Primal Projects Limited for addition of land in the sector specific SEZ for IT/ITES at Ballandur village, Varthur Hobli, Bangalore East taluka, Bangalore Urban District, Karnataka

IT/ITES SEZ at Bangalore, Karnataka, by M/s. Primal Projects Private Limited was notified on 29th August, 2007 over an area of 10.361 hectares. Subsequently, an additional area of 2.312 hectares was notified on 1st March, 2011. The SEZ is operational. To meet the demand for space, the developer has requested for addition of an area of 2.023 Ha, thereby making the total area as 14.696 Ha. The developer has informed that the land proposed to be added is vacant, contiguous and is in its possession. Report of DC CSEZ is awaited.

The request of the developer for increase in area is submitted for consideration of the Board of Approval.

Item No. 50.10: Request of M/s. Uppal Developers Private Limited for re-consideration of the decision of the BoA rejecting its request for grant of third extension of formal approval for setting up of a Multi Services SEZ at Gurgaon, Haryana, beyond 2nd April 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 108.86 hectares, vide LoA dated 3rd April 2006. The above mentioned SEZ was notified on 31st August 2006, over an area of 106.3101 hectares. The developer has been granted two extensions. The validity of the last extension was up to 2nd April 2011. The request of the developer for extension of the validity of the formal approval beyond 2011 was considered in the BOA meeting held on 31st May, 2011 and rejected. The minutes are as under:-

“The Board, however, taking into account comments of DC NSEZ rejected the request of M/s. Uppal Developers Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services at Gurgaon, Haryana beyond 2nd April 2011, as the developer had not taken sufficient steps towards implementation of the project.”

The developer has requested for re-consideration of the decision of BoA and grant of further extension to the project. It has been stated that the project is a joint venture agreement with M/s. Anna Holding (Mauritius) Limited which resulted in FDI to the tune of 328 crores. The main impediments in developing SEZ found to be inordinate delays in granting various permissions/approvals by the State Government of Haryana including inter-alia the basic infrastructure facilities like water & power connections. To state notably, the State Government notified this SEZ on 10.06.2008 i.e. after more than two years from the date of approval granted by the MOC&I in-principle approval from State Government for water availability was received by the developer on 30.09.2010 and the power for the project is still not granted. The detailed justification given by the developer is at **Annexure - 2**. The developer has also requested for personal hearing.

DC NSEZ has recommended grant of further extension for a period of one year from the expiry of last extension. The report of the DC is at **Annexure - 3**.

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

Item No. 50.11: Request for de-notification

(i) Request of M/s. Larsen & Toubro Limited for de-notification of the sector specific SEZ for IT/ITES at village Malumichampatti, Coimbatore South Taluk, District Coimbatore, Tamil Nadu, notified over an area of 11.0388 hectares

The above mentioned SEZ notified over an area of 11.0388 hectares. Now, the developer has requested for de-notification of the SEZ, citing economic unavailability in the changed economic scenario, as the reasons for the same. DC MEPZ has recommended the request and has informed that the developer has not availed any duty/tax benefit in respect of the SEZ.

The request of the developer for de-notification of SEZ is placed before the BoA for consideration.

Item No. 50.12: Request for withdrawal of formal approval

(i) Withdrawal of formal approval granted to M/s. Videocon Realty & Infrastructure Limited for setting up of sector specific SEZ for IT/ITES at Dabgram, Jalpaiguri, West Bengal

M/s. Videocon Realty & Infrastructure Limited was granted formal approval for setting up of a sector specific SEZ for IT/ITES at Dabgram, Jalpaiguri, West Bengal, over an area of 10 hectares, vide LoA dated 19th May, 2009. The SEZ is yet to be notified. Now, the developer has requested for withdrawal of formal approval stating that the company is not able to implement the project owing to the latest business outlook of the region. DC FSEZ has recommended the request of the developer.

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

Item No. 50.13: Requests for withdrawal of co-developer status

(i) Request of M/s. DLF Assets Private Limited for withdrawal of co-developer status granted for developing setting up of sector specific SEZ for IT/ITES at Pune, Maharashtra being developed by M/s. DLF Ackruti Info Parks (Pune) Limited

The above SEZ was notified on 14.09.2007 over an area of 10.33 hectares. Vide LoA dated 16th August 2007 M/s. DLF Assets Private Limited was granted co-developer status for developing infrastructure facilities in the SEZ. Now the co-developer has requested for withdrawal of approval stating that the market condition is not conducive. Report of DC SEEPZ is awaited.

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

(ii) Request of M/s. DLF Utilities Limited for withdrawal of co-developer status granted for developing setting up of sector specific SEZ for IT/ITES at Pune, Maharashtra being developed by M/s. DLF Ackruti Info Parks (Pune) Limited

The above SEZ was notified on 14.09.2007 over an area of 10.33 hectares. Vide LoA dated 16th August 2007 M/s. DLF Utilities Limited was granted co-developer status for developing infrastructure facilities in the SEZ. Now the co-developer has requested for withdrawal of approval stating that the market condition is not conducive. Report of DC SEEPZ is awaited.

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

Item No. 50.14: Requests for change of sector/broad-banding the sector

(i) Request of M/s. Opto Infrastructure Limited for change of sector of the notified sector specific SEZ at Hassan District, Karnataka from ‘Electronic Hardware including IT/ITES’ to ‘Manufacturing of Equipments, Devices, Accessories including Consumables for Medical and other applications’

Sector specific SEZ for Electronic Hardware including IT/ITES at KIADB Industrial growth center, Doddabasavanahalli and Chikkabasavanahalli villages, Shanthigrama Hobli, Hassan Taluk, was notified on 15th June, 2010, over an area of 101.171 hectares. Now the developer has requested to change the sector of the SEZ to ‘Manufacturing of Equipments, Devices, Accessories including Consumables for Medical and other applications’. As regards the reason for the proposed changed, the developer has stated that there is less demand for IT/ITES and Electronic Hardware sector in tier II cities like Hassan. There is better scope for manufacture of Medical instruments and devices. Further, the company has commitments from some of the entrepreneur for setting up units in the new sector.

DC CSEZ has recommended the request of the developer.

The proposal was placed before the BoA meeting held on 22nd July, 2011. However, it was deferred on the request of the representative of the Government of Karnataka. The Govt. of Karnataka has now informed that the State High Level Clearance Committee in its meeting held on 9.11.2011 has approved the request of the developer for change of sector from SEZ for Electronic Hardware including IT/ITES to SEZ for manufacturing of equipments, devices, accessories including consumables for Medical and other applications. It has also been requested for placing the request before BoA for approval.

In view of the above position the request of the developer is placed for consideration of BoA.

(ii) Request of M/s. Mahindra World City (Jaipur) Limited for change of sector of the notified sector specific SEZ at Kalwara village, Tehsil Sanganer, District Jaipur, Rajasthan from “Light Engineering including automotive/ automotive components” to “Engineering including automotive/ automotive components”

The above mentioned SEZ was notified on an area of 103.1775 hectares on 6th January, 2009. Subsequently approval was conveyed for addition of land to the extent of **119.1539** hectares, after addition total area of the SEZ is 222.6730Hectares. The developer has requested for change of sector from “Light Engineering including Automotive/Automotive Component Sector” to “Engineering industries including Automotive /Automotive Component Sector. Developer has stated that they are receiving

various enquiries from medium and high engineering industries including Original Equipment Manufacturers (OEM) for setting up of their factories in the SEZ and the heavy engineering units constitute a major part in the Engineering Sector and light engineering goods are essentially used as inputs by such heavy engineering industries, hence change of sector from “Light Engineering including Automotive / Automotive Component Sector” to “Engineering Sector including Automotive / Automotive Component Sector would be more able to fulfill the demand of the engineering sector. The said sector specific SEZ is operational from 01-06-2011 and exports till 30-11-2011 is Rs. 9.49 Crores.

DC NSEZ has recommended the request of the developer. The request of the developer is placed for consideration of BoA.

(iii) Request of Kinfra Industrial Infrastructure Development Corporation for change of sector of the notified sector specific SEZ at Trivandrum, Kerala from “IT (Animation and Gaming)” to “IT/ITES”

The above mentioned SEZ was notified on 12th April, 2007. The developer has requested for change of sector from “IT (Animation and Gaming)” to “IT/ITES”. Developer has stated that due to global recession, the Animation and gaming sector could not perform to the expected levels as indicated in the NASSCOM reports. Further, the Indian Animation Sector earns its revenue from outsourcing the reputed International Production Houses from US and UK. The share of the global market for Animation Sector is woefully low as compared to other IT and ITEs Sectors. The developer has stated that substantial investments have been made in providing infrastructure and also for creating the requisite ambience for promotion of this industry. Further, despite an aggressive marketing effort in a number of ways, the ultimate response from the Animation Industry has not been very encouraging. Under the circumstances, the developer has decided to seek change of sector from IT (Animation & Gaming) to IT and ITES so that it can carry on the business in a comfortable manner and thus avoid idle blockage of funds of the state.

DC CSEZ has recommended the request of the developer. The request of the developer is placed for consideration of BoA.

Item No. 50.15: Requests for extension of LoP of units beyond 3rd and 4th year

(i) Request of M/s. Embedded IT Solutions (India) Private Limited, a unit in the sector specific SEZ for Semiconductors at Raviryala village, Maheswaram Mandal, Ranga Reddy District, Andhra Pradesh being developed by M/s. FAB City SPV (India) Private Limited, SEZ, for extension of Letter of Permission (LOP) beyond 22nd December, 2011

M/s. Embedded IT Solutions (India) Private Limited, was granted LoP for setting up a unit in the above SEZ, vide LoP dated 23rd December, 2008 for manufacture of Semi Conductors and PCT manufacturing unit. Subsequently, on request of the unit, DC had extended LoP of the unit up to 22nd December, 2011. The unit has requested for further extension of the validity of the LoP. The unit has stated that they had already started the process of implementation of their project. They had constructed the compound wall, water sump plant at the site including the planting of site with greenery. They had finalized the drawings for the construction of building. The machinery for setting up PCB manufacturing had already been finalized and the machinery will be ready at the plant to start operation by

end of May, 2012. The unit has made total investment of Rs. 2.465 crore till date including investment in land.

The unit has also informed that the delay in setting up the implementation of the project had occurred due to the recession and drastic fluctuations in the market and added that frequent bandhs and obstacles had come in their way. The unit is expected to commence production their production by end of May, 2012.

As per rule 19 (4) of the SEZ rules 2006, the DC may grant extension of one year, beyond third year, subject to condition that two-third of activities including construction relating to the setting up of unit is complete and a chartered engineer's certificate to this effect is submitted by the entrepreneur. However, in this case two third activities are not complete, therefore, DC has, therefore, requested for placing the request before BoA.

In view of the above position the request of the unit for grant of further extension of LoP beyond 22nd December, 2011 is placed before the BoA for consideration.

(ii) Request of M/s. Kumar Organic Products Limited, a unit in KIADB (Pharma) SEZ, Hassan, Karnataka for extension of Letter of Permission (LOP) beyond 31st December 2011

M/s. Kumar Organic Products Limited, was granted approval for setting up a unit in the above mentioned SEZ, vide LoP dated 1st January, 2008 for manufacture and export of Zinc Pyrithione, Carageenam, CUP, Rose, Oxude & Chiba. Subsequently, the LoP of the unit was extended from time to time. The last extension was valid up to 31st December, 2011. The unit has requested for further extension for a period of one year. DC has recommended the request stating that the unit has so far invested Rs. 795 lakhs (excluding land cost) and is likely to start production from February 2012.

Rule 19(4) of SEZ Rules, 2006 have been amended vide notification dated 10.11.2010. The amendment has enabled BoA to grant further extension of the validity of the LoP of a unit, beyond fourth year (**one year, at a time**) on the request of the entrepreneur.

The request of the unit for grant of further extension of LoP for a period of one year beyond 31st Decembers, 2011 is placed before the BoA for consideration.

Item No. 50.16: Request for extension of LoP of units beyond 5th year

(i) Request of M/s. Pidilite Industrial Limited (PIL), a unit in M/s. Dahej SEZ Limited, Gujarat for extension of LoP beyond 15th August 2012

M/s. PIL was granted LoP for setting up a unit for manufacture of Poly Chloroprene Rubber, in the above mentioned SEZ, vide LoP dated 16th August 2007. Subsequently, on request of the unit, DC had extended LoP of the unit up to 15th August 2012 in respect of manufacturing activity. The unit has requested for further extension of LoP beyond 15th August, 2012. DC has given details of the steps taken by the unit and has intimated that the unit has so far invested Rs. 350 crores and commitments for another Rs. 50 crores have been made.

The unit has stated that during review and discussion with the international expert and engineering consultant (M/s. UHDE), the minimum plant size for viability was found to be

36,000 TPA as against 20,000 TPA being built in the 1st Phase. At this revised capacity the plant would be able to complete with global majors and aim for market share of 10-15%. The capital cost for the increased capacity would be approximately Rs. 750 crores, as against Rs. 500 crore envisaged earlier. This capital expenditure would enable unit to build a world class plant to compete in the global market. On completion and at full capacity the plant will generate revenue of around Rs. 1000 crore in valuable foreign exchange. Due to this change in initial capacity the likely period of completion would now be around December 2013.

The unit has stated that during discussions with public sector banks/financial institutions they are insisting for Government Approval for the extended period of completion and commissioning of the project. In view of the above the unit has requested for extension of validity up to December, 2013. DC has recommended grant of extension till December, 2013.

Rule 19(4) of SEZ Rules, 2006 have been amended vide notification dated 10.11.2010. The amendment has enabled BoA to grant further extension of the validity of the LoP of a unit, beyond fourth year (**one year, at a time**) on the request of the entrepreneur.

The present request is for extension of validity for a period of more than one year at a time which is not as per the provisions of the above rules position. However, in view of the justification by the unit and the recommendation of DC Dahej SEZ, BoA may consider extension up to 15th August, 2013.

(ii) Request of M/s. Wipro Limited, a unit in ELCOT SEZ, Vilankurichi village, Coimbatore, Tamil Nadu for extension of LoP beyond 3rd December 2012

M/s. Wipro Limited was granted LoP for setting up a unit in the above mentioned SEZ, vide LoP dated 4th December, 2007. Subsequently, on request of the unit, DC had extended LoP of the unit up to 3rd December, 2011. The unit has requested for further extension of the validity. DC MEPZ has informed that the unit has made an investment of Rs. 36 crores and is expected to commence operations by the end of 2 quarter of this year.

In view of the above position DC MEPZ has recommended further extension of the LoP for a period of one year from the date of expiry of last extension.

The request is placed before the BoA for consideration.

(iii) Request of M/s. Oil and Natural Gas Corporation Limited C2-C3 Project – Dahej, a unit in M/s. Dahej SEZ Limited, Gujarat for extension of LoP beyond 5th March 2012

M/s. Oil and Natural Gas Limited C2-C3 Project-Dahej was granted LoP for setting up a C2, C3 and C4 recovery unit from LNG, in the above mentioned SEZ, vide LoP dated 6th March 2007. Subsequently, on request of the unit, DC had extended LoP of the unit up to 5th March 2013 in respect of manufacturing activity. The unit has requested for further extension of the validity. DC, KASEZ, has intimated that unit completed erection of plant and is mechanically ready for commissioning. The unit has so far invested Rs. 793.67 crore and current employment is 279. It has obtained storage license from Chief Controller of Explosives (CCoE) after necessary up-gradation of pressure relieving system etc. before commissioning of the plant. The unit has cited the following reasons for delay in

commissioning of the project (i) Lack of clarity on the issue of Incidence of double customs duty (ii) Clarification on Net Foreign Exchange Earner (NFE) Status (iii) Approval of MoPNG for utilization of GAS against shrinkage LNG.

DC Dahej SEZ has recommended extension of LoP for a period of one year beyond the expiry of the last extension.

In view of the above position the request of the unit for grant of further extension of LoP for a period of one year is placed before the BoA for consideration.

Item No. 50.17: Request of M/s. Abhijeet Ferrotech Limited, a unit of APSEZ at Atchutapuram, Visakhapatnam for grant of permission for import of “Ferro Manganese Slag”, a restricted item.

M/s Abhijeet Ferrotech Limited has requested DC, APSEZ approval for import of “Ferro Manganese Slag” which it is one of the important raw material for the finished product i.e. Silico Manganese. “Ferro Manganese Slag” is covered under the Customs tariff heading no. 26209900 and the same is “Restricted” as per ITC (HS) Classification of Import and Export items. The unit has intimated that as per the production plan for 12 months the required quantity of the said raw material is 204000 MT (i.e. 17000 MT per month).

DC has forwarded the request for consideration of BoA in terms of Instruction No. 47 dated 4th March, 2010 issued by Department of Commerce which provides that such requests require prior approval of BoA.

The request is placed before BoA for consideration

Item No. 50.18:Requests of M/s Zitan Trading Corporation and M/s. Rocky Red Sandal Musical Instruments Exports for reconsideration of the decision of the BoA rejecting their requests for setting up of a units in VSEZ for manufacture and export of value added product out of red sanders wood allotted/ procured from legal sources.

The above companies had submitted application for setting up unit in VSEZ for manufacture of value added products of Red sanders wood Musical Instruments/Parts, Red Sanders Dies, Red Sanders Extracts, Handicrafts, Furniture parts etc. The units intend to procure Red Sanders Wood from AP Forest Department for manufacture and export of Dyes, Musical Instruments and parts of Musical instruments from the Red Sanders Wood. The Red Sander Wood (*raw material for the Unit*) is a prohibited item for export Classification Code [(Sl.No.154 of ITC (HS)]. However “as per ITC (HS) classification code (Sl. No. 155) value added products of Red Sanders Wood such as extracts, dyes, musicals instruments and parts of musical instruments made from Red Sanders Wood procured from legal sources is restricted for export.

DC, VSEZ had informed that the Government of Andhra Pradesh, Forest Department vide G.O. Rt. No. 102 dated 17.03.2011 allotted 374.278 MT of ‘C’ Grade Red Sanders Wood and 693.508 MT of Non-Grade Sanders Wood to M/s. Zitan Trading Corporation, Hyderabad. Government of Andhra Pradesh, Forest Department vide G.O. Rt. No. 90 dated 09.03.2011 has also allotted MTs of ‘C’ Grade Red Sanders Wood to M/s. Rocky Red Sandal Musical Instruments Exports, Hyderabad.

Since red sanders wood is a restricted items DC had requested for placing the matter before BoA. Accordingly, the request was placed before BoA in its meeting held on 22nd July, 2011 and was rejected. The minutes are as under:-

“The proposal was not clear as to the specific products proposed to be dealt with by the Unit. Sandalwood exports are not permitted as per FTP. BoA also was informed about the rulings of the Hon’ble Supreme Court against export of such items. Board after deliberations did not approve the proposal.”

M/s. Zitan Trading Corporation and M/s. Rocky Red Sandal Musical Instruments Exports have now requested BoA to re-consider the request for setting up of unit stating that the proposal is for setting up a unit for conversion of ‘Red sanders wood’ in to different value added products i.e. extracts, dyes, musical instruments and parts of musical instruments and not from “Sandal wood” as mentioned in the minutes. Also, in both ‘sandal wood’ and Red sanders wood’, the export of wood as it is, prohibited and items made out of sandal wood are in free list. However, in the case of items made out of red sanders wood procured from legal sources the same is in restricted list.

It has also been stated that there is a separate law in the State of Andhra Pradesh for the Red sanders wood possession. The Red sanders wood has been procured by them from the Government of Andhra Pradesh, which is the pre condition in heading No. 155 i.e. procured from legal sources. The remaining conditions as per AP Red sanders wood possession Act/Rules shall be fulfilled for the export of the products converted by the company.

DC VSEZ has recommended the request for placing before BoA for reviewing it decision.

The matter is placed before BoA for re-consideration

Item No. 50.19: Request of Ms. SIMS Recycling Solutions India, a unit in NSEZ SEZ for broad-banding of Letter of Approval

NC, NSEZ has informed that M/s SIMS has been granted LoA dated 27.11.2007 for setting up of a unit in the NSEZ for production of recycling of outdated computes, IT components, e-waste and PCB. The units commenced operations on 1.5.2008. The year-wise performance of the unit as per the APRs is as under:-

Year	FOB Value of export	Imports (consumed during the year)	NFE Position
2008-09	NIL	NIL	NIL
2009-10	NIL	NIL	NIL
2010-11	122.82 lakhs	1.28 lakhs	121.54 lakhs

The units has request NSEZ for enhancement of production capacity by way of inclusion of “collect and export mixed ferrous metals, mixed non-ferrous metals and mixed plastics scrap” in the LoA. DC, NSEZ has informed that to carry out the proposed activities, the unit proposes to make investment in Plant & machinery to the tune of Rs.85 lakhs. Projections for the proposed inclusion given by the unit as under with projected cumulative NFE of Rs.111 lakhs:

Years:	1	2	3	4	5	Total
Fob value of export	122	152	190	237	297	998
Forex outgo	108	135	169	211	264	887
NFE	14	17	21	26	33	111

Since the unit is engaged in re-cycling, the DC, NSEZ has forwarded the request of the unit for broad-banding of the LoA for consideration of the BoA in terms of Rule 18(4) of the SEZ Rules.

The proposal is placed before BoA for consideration.

Item No. 50.20: Request of Ms. Elegant Collection, a unit in SEEPZ SEZ for merger of Letter of Approvals

DC, SEEPZ has intimated that M/s Elegant Collection has been issues two Letters of approval for setting of unit in the SEEPZ SEZ. One dated 17.3.1987, as amended, for manufacture and export of Plain Studded Gold/Platinum/Silver Jewellery and another dated 26.7.1993, as amended, for manufacture and export of Plain & studded Platinum, Gold & Silver Jewellery, non-precious alloy metal jewellery studded with diamonds and precious stones. The proposal of the unit for merger of LoA dated 17.2.1987 with the LoA dated 26.7.93 with revision of projection was placed before the Approval Committee meeting on 16.11.2011 and 7.12.2011. The Committee observed that there is no provision in the SEZ Act/Rules, 2006 for merger of LoAs. Therefore, the committee decided to refer the case for consideration of the BoA. DC, SEEPZ has, accordingly, forwarded the proposal for consideration of the Board.

The proposal is placed before BoA for consideration.

Item No. 50.21: Request for transfer of unit from one SEZ to another

(i) Request of M/s. Atos India Private Limited a unit in MWC-IT SEZ at Kancheepuram District, Tamil Nadu for shifting its location to Indian Green Grid Group Limited - SEZ

M/s. Atos India Private Limited is an operational unit. The unit has exported to the tune of Rs. 1579 lakhs and has achieved positive NFE of Rs. 1551.66 lakhs as on 31.03.2011. The unit has stated that in view of the corporate expansion plans and business need they would like to relocate their unit from MWC IT-SEZ to M/s. Indian Greed Grid Group Limited. It has already obtained letter of consent from the developer for leasing space in the new location.

DC, MEPZ has forwarded the request for consideration of the BoA in terms of instruction no. 59 issued, by DoC, which provides that such requests are to be decided by BoA on case to case basis.

The request of the unit is placed before the BoA for consideration

Item No. 50.22: Request of M/s. Alps Overseas Private Limited, a Units in Falta SEZ for renewal of its LoP

M/s. Alps Overseas Pvt. Ltd. was granted LoP on 09.05.1997 for setting up of unit in FSEZ for manufacturing and export of LDPE/HDPE/PP Granules. The unit had commenced commercial production on 16.12.1998. The unit had completed operation of 2nd block of five years on 15th December 2008. Thereafter, the unit had requested for extension of the validity. The request was not recommended by the zone for consideration by BoA for the following reasons:-

- (a) An amount of Rs. 30.16 lakh of lease rent including penal interest had become due up to 31.03.2009 for the land and built up space occupied by the unit in the zone.
- (b) The unit did not make any physical export. It had been making DTA sale, payment of which had to be received on foreign exchange from the EEFC A/c of the DTA buyer in terms of Rule 53A(n) of SEZ Rules, 2006, to enable itself to achieve positive NFE. But inspite of repeated requests, the unit had not submitted BRC as proof of export.

DC FSEZ has informed that the matter especially non-payment of huge amount of lease rent dues was discussed in the Approval Committee meeting held on 22.6.2009. The unit had also granted opportunity a being heard. However, no payment was made by the unit. Thereafter, it was decided not to renew the LoP and the unit was advised surrender the land/space immediately to enable FSEZ, re-allot the same to other prospective new units. The decision was conveyed vide letter dated 30.10.2009. The unit filed writ petition in the Kolkata High Court. The WP was heard on 03.05.2010 and Hon'ble High Court passed an order directing payment of outstanding lease rent inclusive of interest and penalty payable up to 30.04.2010 within 31st May, 2010 and the balance within 30th June, 2010 and also directed that the petitioner should not be obstructed from carrying on business, if the petitioner deposits 50% of the outstanding rental dues within 31.05.2010. The rental dues had been accumulated to Rs. 3543235/ (outstanding rent – Rs. 2427995/- + Penal Interest – res. 1115240/-). Accordingly, in pursuance of the Order of the Hon'ble Justice dated 3rd May, 2010, the petitioner unit had deposited Rs. 1800000/- towards 50% of the outstanding lease rent including interest on 31.05.2010 and the Assistant Commissioner of Customs, Falta SEZ was instructed to allow the petitioner for carrying on their business. However, the unit could not carry on its activity due to pendency of renewal of its LoP which had expired on 15th December, 2008 since renewal of the LoP had to be kept in abeyance by the Development Commissioner due to the non-receipt of the remaining 50% of the outstanding rent which had to be deposited by the petitioner unit within 30th June, 2010.

The unit has requested FSEZ to allow its operation by way of renewal of LoP. DC has recommended the request for grant of further extension of the LoP for a period of 3 months or as deemed fit, till finalization of policy regarding plastic processing units, on the following grounds:-

- (i) To obviate the Court Case (on payment of the remaining outstanding lease rent)
- (ii) To get the land and shed re-utilised on payment of the rental due.
- (iii) To generate employment.

The proposal is placed before the BoA for consideration

Item No. 50.23: Requests for change of name/transfer of equity

(i) Request of M/s. Canton Buildwell Private Limited for changing its name to M/s. ASF Insignia SEZ Private Limited

M/s. Canton Buildwell Private Limited is the developer of the sector specific SEZ for IT/ITES at village Gwal Pahari, Tehsil Sohna, District Gurgaon, Haryana, stands notified over an area of 19.3028 Hectares. The developer has proposed to change the name of the company from “M/s. **Canton Buildwell Private Limited**” to “M/s. **ASF Insignia SEZ Private Limited**” M/s. Sunstream City Private Limited.

The developer has intimated in the meeting held on 15th January, 2009, BoA had taken note of the change in equity of the company on account of FDI by M/s. JP Morgan India Property Mauritius Company II (JPM) and consequent upon the approval for change of name the shareholding of the new ‘name changed’ entity shall continue to be same as on the date prior to such approval and on the date of investment by the FDI investor (JPM). The letter dated 11.1.2012 received from the developer in this regard is at **Annexure - 4**. DC, NSEZ has recommended the request.

The request is placed before BoA for consideration.

(ii) Request of M/s. Indian Green Grid Group Limited for changing its name to M/s. IG3 Infra Limited

M/s. Indian Green Grid Group Limited is developer of various SEZs as under:-

S. No.	Sector/Location	Dated of notification	Area (in hectares)
1.	IT/ITES SEZ at Kancheepuram District, Tamil Nadu	11.08.2006	10.53
2.	Textile SEZ at Uthukuli village, Erode District, Tamil Nadu	9.6.2008	103.6457

Indian Green Grid Group Limited has informed that its name has been changed to **M/s. IG3 Infra Limited** and has requested to change the name in the above mentioned SEZs wherein it is developer. A fresh certificate of incorporation consequent upon change of name issued on 22nd July, 2011 issued by Registrar of Companies, Tamil Nadu has been furnished. As per report of DC, MEPZ there is only change in the name of the company and there is no change in the shareholding pattern, Directors and the management of the company.

As per the report of DC the request falls under category-I in the already approved categories in respect of “Transfer of In-principle or Formal approval issued to a SEZ Developer to its subsidiary or SPV”. However, since the SEZs are notified, the proposal is placed before BoA for consideration.

(iii) Request for transfer of the remaining 49% equity of M/s. Arun Excello Infrastructure Private Limited to M/s L&T Urban Infrastructure Limited (L&T UIL)

IT/ITES SEZ at Kancheepuram District, Tamil Nadu by M/s. L&T Arun Excello IT SEZ Private Limited (*formerly M/s Arun Excello Infrastructure Private Limited*) was notified on 1st May 2007 over an area of 11.09 hectares.

The present shareholding pattern of the company is as under:-

S. No.	Name of shareholders/promoters	%age holding
1.	M/s. L&T Urban Infrastructure Limited (<i>a subsidiary of M/s. Larsen & Toubro</i>)	51
2.	M/s. Arun Excello Constructions LLP	49

In the BoA meeting held on 15th December, 2009 the developer (*M/s. Arun Excello Infrastructure Private Limited*) was granted approval to change its name to M/s. L&T Arun Excello IT SEZ Private Limited on divestment of 51% equity to M/s. L&T UIL who had come in as a strategic investor.

Now M/s. Arun Excello has decided to exit this joint venture by selling the remaining 49% equity to M/s L&T UIL, which is presently holding 51% equity in the developer company. Being the only joint venture partner for this SEZ, M/s L&T UIL has decided to buy the 49% equity stake owned by M/s Arun Excello Constructions LLP.

DC, MEPZ has recommended the proposal for placing before the BoA. The report of the DC MEPZ is at **Annexure - 5**.

The proposal is placed before BoA for consideration.

(iv) Request of M/s Flagship Infrastructure Private Limited for de-merger of the company resulting into three companies and transfer of approval to one of the de-merged company

The sector specific SEZ for IT/ITES at village Hinjewadi, Taluka Mulshi, District Pune, Maharashtra stands notified over an area of 10.1766 Ha. DC, SEEPZ has informed that the developer company viz M/s Flagship Infrastructure Private Limited (FIPL) has demerged into the following companies:-

- (i) M/s Flagship Infrastructure Private Limited (FIPL)
- (ii) Neopro Technologies Private Limited (NTPL)
- (iii) Flagship Developers Private Limited (FDPL)

The said de-merger has been done by the company bench of the Hon'ble High Court of Judicature at Bombay, vide order dated 14.10.2011, in Company Scheme Petition Nos. 504, 505 and 506 of 2011.

The developer (FIPL) has proposed to transfer ownership of all the land of their SEZ and the existing construction to M/s Neopro Technologies Pvt. Ltd. (NTPL), who shall replace them as Developer. Other resulting company apropos to the de-merger i.e. Flagship Developers Pvt. Ltd. (FDPL) will utilize the balance/additional FSI available as per MIDC, DC Rules and shall introduce the same into the SEZ for additional/extra construction as per the said DC Rules and shall come in as co-developer. The shareholders of all the said three companies are common.

The developer has requested to allow them to transfer the ownership of the SEZ to their de-merged company i.e. Neopro Technologies Pvt. Ltd. (NTPL) and also sought approval of FDPL as co-developer. The request of M/s. FDPL for co-developer status is also under consideration in this BoA [Item No. 50.2 (viii)].

As per report of DC, SEEPZ the proposal falls under category-III (*De-merger in terms of a court decision*) in the already approved categories in respect of “Transfer of In-principle or Formal approval issued to a SEZ Developer to its subsidiary or SPV”. However, since the SEZs are notified, the proposal is placed before BoA for consideration.

(v) Request of M/s Rassai Properties & Industries Limited for transfer of 50% equity to the entire equity shareholding to M/s. Excelestar Ventures 1 LLC

The sector specific SEZ for Multi Services at Parigi and Serikokum villages, Parigi Mandal, C.Kodigepalli village, Madakasara Mandal, Anantapur District, Andhra Pradesh developed by M/s. Rassai Properties & Industries Limited was notified on 23rd April, 2009 over an area of 366.409hectares. The developer has requested for approval for transferring 50% equity shareholding to M/s. Excelestar Ventures 1 LLC.

The developer wants to divest 50% of the share in the company to a foreign investor M/s. Excelestar Ventures 1 LLC and Collaborate with the company in developing the SEZ. A copy of the particulars submitted about joining and by subscribing the promoter developer company with USA based NRI company for issue of fresh equity and transfer of existing shareholding of developer company is at **Annexure – 6**.

The developer has further stated that the company will establish seamless continuity of the sector specific multi services SEZ activities with unaltered responsibilities and obligations for the altered developer entity; that the developer company fulfills all eligibility criteria applicable to developers, including security clearances etc., by the altered developer entity and its constituents and that the developer company will abide by the applicability of and compliance with all Revenue/company Affairs/SEBI etc rules which regulate issues like capital gains, equity change, transfer, taxability etc.

DC VSEZ has recommended the proposal.

The proposal is placed before BoA for consideration.

(vi) Request of M/s Cambridge Builders Private Limited (CBPL), a co-developer, for transfer of 100% of their shareholding to M/s. Xchanging Technology Services India Private Limited (XTSI)

M/s Cambridge Builders Private Limited was granted LoA on 29th November, 2010 for becoming a co-developer, for development of IT infrastructure over an area of 6 acres, in the IT/ITE SEZ at Shimoga, Karnataka being developed by KEONICS. The co-developer (A Xchanging Group Company) has now sought approval for transfer of 100% of their shareholding to M/s. Xchanging Technology Services India Private Limited (also Xchanging Group Company) as part of internal re-organization with Xchanging Group. M/s. XTSI has submitted an undertaking to the effect that further to their acquisition of shares of

M/s. CBPL, M/s. CBPL would continue to exist and operate as a separate company and no further assets or liabilities are acquired pursuant to such purchase of shares.

DC CSEZ has recommended the proposal.

The proposal is placed before BoA for consideration.

Item No. 50.24: Appeals before BoA

(i) Appeal of M/s. Sun Aromatics against rejection of its request for setting up a unit, in NSEZ

M/s. Sun Aromatics had applied for setting up a unit in the NSEZ for manufacturing aromatics and allied product. The application was considered by the UAC and was rejected. The decision was conveyed to the appellant vide letter dated 25.11.2011 (**Annexure - 7**). Aggrieved by the decision of the Approval Committee, M/s. Sun Aromatics has preferred an appeal before the BoA. The brief facts of the case along with the grounds on which appeal has been filed as furnished by the unit is at **Annexure – 8**.

The appeal is placed before the BoA for consideration.
