

Agenda for the 48th meeting of the Board of Approval to be held on 9th September 2011 at 10.30 A. M. in the Room No. 47, Udyog Bhawan

Item No. 48.1: Proposals for setting up of SEZs

S. No	Name of the Developer	Location	Sector	Area (in ha)	Land Possession	SGR*	Status of application
i.	M/s. Planet SEZ Private Limited	Rajayyapeta village, Visakhapatnam District, Andhra Pradesh	Petroleum and Oil & Gas Industry	108	No	Yes	New
ii	M/s. Indian Strategic Petroleum Reserves Limited	Padur, Karnataka	FTWZ	41.20	Yes	Yes	New
iii.	M/s. Bhuvana Comforts Private Limited	B.M. Kaval and Rachanamadu villages, Kengeri Hobli, Bangalore, Karnataka	IT/ITES including Electronic Hardware	12.4	Yes	Yes	Deferred in the BoA meeting held on 31 st May, 2011 on the request of DC, CSEZ. DC, has since recommend the proposal.

*State Government's Recommendation

Item No.48.2: Request for co-developer

(i) Request of M/s. Hyderabad Infratech Private Limited for co-developer in the sector specific SEZ for IT/ITES at Gachibowli village, Serilingampally Mandal, R.R. District, Andhra Pradesh, being developed by M/s. Phoenix Infocity Private Limited

The proposal of M/s. Hyderabad Infratech Private Limited for becoming a co-developer for an area of 1.12 hectares, for development and investment in the required interiors, infrastructure along with the operations and maintenance of tower H01A and H08 forming part of the above SEZ, was considered in the BoA meeting held on 22nd July, 2011 and was deferred. The decision of the BoA was as under:-

“The representative of D/o Revenue pointed out that the tenure of lease agreement between the Developer and Co-developer is 99 years. Further there was a provision of a onetime payment of Rs.174 Crore to the Developer by the Co-Developer. DoR also contended that the co-developer is entitled to create a lien, charge or mortgage in favour of a bank. DoR contended that all these amount to sale/transfer of land which is not allowed in the SEZ Rules. The DC mentioned the applicant's willingness, conveyed in writing, to reduce the tenure of the lease to thirty three years. After deliberations, Board directed DC, VSEZ to advise the Co-Developer to address the issues raised and submit a revised lease deed”.

Pursuant to the above decision of the BoA, a revised co-developer agreement dated 28th July, 2011 and a revised draft lease deed has been submitted.

DC, VSEZ has informed that in both the agreements, the tenure of the lease period has been changed from 99 years to 33 years and now lease rentals will be collected at Rs. 20 crores per annum instead of upfront payment of Rs. 174 crores (Clause No. 3 of the co-developer agreement). DC has further stated that the objection on lien, charge or mortgage in favour of a bank, has been addressed by amending the relevant clause (Clause 8.1 of the draft lease agreement) to the tenure of lease only. Further a condition has also been put in place in the lease deed which requires No Objection Certificate from the Development Commissioner in the event of any such mortgage by the co-developer. DC has, therefore, stated that the revised co-developer agreement and draft lease deed submitted by the developer satisfy the requirement under the SEZ Act and Rules. A copy of the revised co-developer agreement and draft lease deed are at **Annexure- 1**.

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

(ii) Request of M/s. Stylus Commercial Services Private Limited (SCSPL) for co-developer in the sector specific SEZ for Electronic Hardware and Software including IT/ITES at Rachenhalli and Nagavara villages, Hobli, Outer Ring Road, District Bangalore, Karnataka, being developed by M/s. Manyata Promoters Private Limited

The proposal of M/s. Stylus Commercial Services Private Limited for becoming in the aforesaid SEZ for undertaking development of about 21,696 sq. ft. of built up space (taken on lease from the developer) as per the co-developer agreement dated 28th April 2011, was considered in the BoA meeting held on 22nd July, 2011 and was deferred. Board had sought a report from DC, CSEZ on the nature of development being undertaken by the co-developer and also as to whether they were consistent with the SEZ Act and Rules.

A report in the matter has since been received from DC CSEZ. DC has stated that the co-developer will sub-lease the space to small entrepreneurs after undertaking Interiors and Fit outs. The role of the co-developer is limited to the extent of developing the built up space to furnish office space and other infrastructure facilities before it is leased out to prospective small and medium entrepreneurs (SEZ Units). This will also help the developer to comply with the spirit of instruction no. 46 issued by this Department, advising all SEZs, including IT/ITEES SEZs to facilitate setting up SSI units in SEZs. The co-developer has also informed that it does not intent to operate as a SEZ unit. DC has informed that the period of lease agreement which was for a period of 5 years has been extended for a period of 10 years. In view of the above DC VSEZ has recommended the proposal stating that the proposal is consistent with SEZ Act and Rules.

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

(iii) Request of M/s. Pandit Deendayal Petroleum University for co-developer in Multi Product SEZ at Vagra, District Bharuch, Gujarat, being developed by M/s. Dahej SEZ Limited

The request of M/s. Pandit Deendayal Petroleum University (PDPU) for becoming a co-developer for an area of 5 acres in the Dahej SEZ, to develop facilities for Human Resource Development, covering Skill Development Centre, Industrial Oriented Research Centre and other in energy sector including Petroleum and petro-chemical industry, was considered in the BoA meeting held on 31st May, 2011 and was deferred. The decision of the BoA was as under:-

*The representative of DoR pointed out that the said university is privately owned and there was no adequate justification as to why PDPU wanted to set up a centre within the SEZ. DoR accordingly recommended that this proposal may not be allowed. DC, KSEZ was asked to file a detailed report giving full justification for the said proposal. Accordingly, the proposal was **deferred**.*

A report in the matter has been received from DC, KASEZ and is at **Annexure - 2**. DC has inter-alia informed that the SEZ is located in the remote location of Gujarat where nearest place of Technical institute is Vadodara which is 150 Km away from it. Getting skilled manpower in such remote area is difficult and no reputed technical institute would venture to set up their facility here. Further, PDPU is supported by Government of Gujarat who has also recommended the proposal. DC has, therefore, recommended the proposal.

Accordingly, the proposal is placed before BoA for consideration.

(iv) Request of M/s. Artha Builders LLP for co-developer in the sector specific SEZ for Electronic Hardware and Software including IT/ITES at Greater Noida, Uttar Pradesh, being developed by M/s. Artha Infratech Private Limited

The above SEZ stands notified over an area of 10.006754 hectares. M/s. Artha Builders LLP has submitted a proposal for becoming a co-developer in the aforesaid SEZ for providing infrastructure facilities by creating one tower of approximately 3 lacs sqft., over an area of 0.436921 hectares in the processing area of the above mentioned SEZ. The proposal was considered in the BoA meeting held on 22nd July, 2011 and was deferred. The minutes are as under:-

*“The representative of CBDT pointed out that the financial details of the agreement between the developer and the proposed co-developer have not been intimated to the Board. The Board, therefore, after deliberations **deferred** the proposal till the receipt of such details through DC, NSEZ.”*

DC, NSEZ has furnished financial details of the agreement between the developer and co-developer (**Annexure - 3**).

Accordingly, the proposal is placed before BoA for consideration.

(v) Request of M/s. Syntel International Private Limited for co-developer in the sector specific SEZ for IT/ITES at Gangaikondan village, Tirunelveli District, Tamil Nadu, being developed by Electronics Corporation of Tamil Nadu Limited (ELCOT)

The above mentioned SEZ was notified on 8th June 2009 over an area of 40.48 hectares. In the BoA meeting held on 31st May, 2011 the developer was granted approval for adding a part of land admeasuring 76.893 hectares to the already notified SEZ, thereby making the total area of the SEZ as 117.37 hectares. The notification for additional area has not yet been issued. M/s. Syntel International Pvt. Ltd. for becoming a co-developer in the aforesaid SEZ for providing adequate infrastructure facilities for the purpose, to operate and maintain IT/ITES, over an area of 100 acres. Draft Co-developer agreement to be entered into with the developer has also been provided. The request of the co-developer is submitted for

consideration of BoA with the fact the area proposed to be developed by the co-developer is yet to be notified as part of the SEZ.

(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 for becoming a co-developer in the aforesaid SEZ for setting up a warehousing zone with required facilities like container yard, parking area, warehousing space over an area of 4 acre etc. 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.

(vii) 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 ha. M/s. SGS India Pvt. Ltd. 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 sqft. Co-developer agreement dated 17th 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.

(viii) 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. SGS India Pvt. Ltd. for becoming a co-developer in the aforesaid SEZ for setting up a skill development Center, over an area of 2000 sqft. Co-developer agreement dated 20th 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. 48.3: Requests for Authorized Operations

(i) Request of M/s. Anrak Aluminnium Limited for authorized operations in the sector specific SEZ for Aluminium at Visakhapatnam District, Andhra Pradesh

The above mentioned SEZ stands notified over an area of 755.65 hectares. The developer has requested for the following authorized operations in the **non-processing area** of the SEZ:-

S. No.	Name of Authorized Activity	No. of Units		Area per Unit (in sqm.) as per FSI norms as applicable	Total unit area	Total area (in sqm.)
(i)	(2)	(3)		(4)	(5)	(6)
1.	“A” Type Quarters (Ground+2)	(6x18)	108	122	13176	

2.	“B” Type Quarters (Ground +2)	(9x18)	162	107	17334	82886
3.	Club House (Ground +1)	(1x2)	2	56	112	
4.	Guest House (Ground +1)	(1x2)	2	389	778	
5.	HOD Quarters (Ground +1)	(7x2)	14	240	3360	
6.	School & Play Ground	(1x1)	1	17910	17910	
7.	Swimming Pool	(1x1)	1	180	180	
8.	Compound Wall (Total: 906 RTMR)	(1x1)	1	453	453	
9.	Sheds	(296x1)	296	98	29008	
10.	Fencing (Total: 2300 RTMR)	(1x1)	1	575	575	

DC, VSEZ, has informed that the SEZ is in its advanced stage of implementation and the developer has so far invested Rs. 1974.39 crores. Further, the developer submitted that there is acute shortage of accommodation to the staff members and senior executives. It has been informed that as on date nearly 200 staff members of their own company and 10000 contract labour are working at site. In addition to these workers, there are construction engineers of major Lumpsum Turn Key (LSTK) package contractors. In order to cope-up with commissioning activities, there is a plan to enhance their staff members further. Therefore, the above authorized operations are justified.

DC has also stated that the request of the developer falls under residential activity and is in conformity with Instruction No. 30 regarding norms for development infrastructure in non-processing area.

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

(ii) Request of M/s. IFFCO Kisan SEZ Limited (IKSEZ) for authorized operations in multi product SEZ at Nellore, Andhra Pradesh

The above mentioned SEZ was notified on 19th April, 2010 over an area of 1023.20 hectares. The developer has requested for following authorized operation in the **non-processing area** of the SEZ:-

S. No.	Name of Authorized Activity	No. of Units	Area per Unit	Total area
1.	Integrated Dairy Project	1	225 acres	225 acres

The request was considered in the BOA meeting held on 22nd July, 2011 and was deferred and Board directed DC, VSEZ to furnish details regarding the business model proposed. A report in the matter has since been received DC, VSEZ and is at **Annexure - 4**.

Accordingly, the proposal is once again placed before BoA.

(iii) Request of M/s. Khed Economic Infrastructure Private Limited for authorized operations in multi product SEZ at Taluka Shirpur and Khed, District Pune, Maharashtra

The above mentioned SEZ was notified on 16th June, 2010 over an area of 1000 hectares. The developer has requested for following authorized operation in the **non-processing area** of the SEZ:-

S. No.	Name of Authorized Activity	Quantum requested (in sqm.)
(i)	(2)	(3)
1.	Residential	
	A. Workers Hostel – 160 units	18000
	B. Studio Apartment – 1 Building – 320 units	8600
	C. 1 BHK Apartment – 1 Building – 160 units	7000
	D. 2 BHK Apartment – 1 Building – 320 units	27000
	E. 3 BHK Apartment – 1 Building – 320 units	51500
	Total	112100
2.	Commercial	
	A. Workers Canteen and Club	2000
	B. Retail Market	1000
	Total	3000

DC has informed that the maximum permissible quantum in respect of the above authorized operations, as per instruction no. 30 is as under: -

(i)	Residential	=	2500000 sqm (50%)
(ii)	Commercial	=	1250000 sqm (25%)

Since the quantum requested by the developer is well within the prescribed ceiling, DC SEEPZ has recommended the request of the developer.

The proposal is placed before BoA.

(iv) Request of M/s. Indian Strategic Petroleum Reserves Ltd. (ISPRL), a co-developer in the sector specific SEZ for Petrochemicals and Petroleum sector at Baikampady, near Mangalore, Dakshina Kannada District, Karnataka, being developed by M/s. Mangalore SEZ Limited, for authorized operations

The above mentioned SEZ stands notified over an area of 620.74 hectares. Indian Strategic Petroleum Reserves Ltd. is a co-developer in the aforesaid SEZ for establishment of 1.50 MMT of strategic crude oil storage. The co-developer has requested for following authorized operations in the **processing area**:-

S. No.	Name of the authorized activity	No. of Units	Area per Unit (in sqm) as per FSI/FAR Norms as applicable	Total Area/capacity
1.	2.	3.	4.	5.
1.	Underground strategic crude oil storage in unlined rock caverns (involving creation of underground rock caverns and setting up of above ground process facilities)	1	4,23,705.80 (104.7 acres)	Capacity 1.5 million metric tons

The request was placed before the BoA meeting held on 22nd July, 2011 and was deferred and a report from DC, CSEZ was sought seeking clarification as to whether crude oil storage facility proposed to be set up by the co-developer has direct nexus with its SEZ activities. A report has since been received from DC CSEZ. The DC has informed that the co-developer intends to set up an underground warehousing facility in FTWZ identified by the developer, and the prospective units will be supplying crude oil to Mangalore Refineries and Petrochemical Ltd. (MRPL) and other refineries on the west coast. The prospective units will meet the NFE obligation under Rule 53(f) of the SEZ Rules 2006. Thus the proposed underground crude oil storage facility proposed to be set up by the co-developer for which BoA approval has been sought as authorized operation has direct nexus with its SEZ activities. Moreover, the facility is being set up in the national interest. DC, CSEZ, has recommended the request of the developer.

The request is placed before the BoA for consideration.

(v) Request of M/s. L&T Shipbuilding Limited for amendment in the authorized operations, in sector specific SEZ for Heavy Engineering at Kattuppalli village, Tiruvallur District, Tamil Nadu, approved by BoA in the meeting held on 31st May, 2011

The SEZ stands notified over an area of 607.870 Ha. In the BoA meeting held on 31st May, 2011, the developer was granted approval for the following the authorized operations in the **processing area** of the SEZ, as given in the table, subject to the DC certifying that the authorized operations are commensurate with requirement emanating from the processing area of the SEZ: -

S. No.	Authorised operations	Quantum Requested		Quantum Approved (in sqm)
		No. of units	Total area (in sqm)	
(1)	(2)	(3)	(4)	(5)
1.	Container Berths along with Shore with Fenders, Bollards Crane Rails	3	73525	73525
2.	Container Freight Station	1	102000	102000
3.	Open Stock Yard	1	180000	180000
4.	Car Stock Yard	1	30000	30000
5.	Other Berths	2	50000	50000
6.	Gate Complex Entry & Exit	1	3000	3000
7.	Shore Protection bunds	1	12500	12500

8.	Connecting Platforms between Breakwater and Berths	1	2000	2000
9.	Utility Buildings for Control Tower, Pump House, Typical Security, P&M Workshop	7	7150	7150
10.	Other utilities – Substation of Fuel, Quay, Receiving Yard and Workshop Parking Bay, Weighbridge, Parking Area Water Tank & Washing Area	9	26,000	26,000
11.	Facilities for Internal Connectivity (in Kms)	1	30 Kms	30 Kms

DC, MEPZ has informed that now the developer has requested for amendment in the approval granted by the BoA stating that the authorized operations will be carried out in the non-processing area and not in the processing area, since the port area has been demarcated as Non-processing area as per instruction no. 26. DC, has recommended the request.

The request of the developer for carrying above authorized operations in the non-processing area instead of processing area is placed before the BoA.

(vi) Request of M/s. Artha Infratech Private Limited for authorized operations in the sector specific SEZ for Electronic Hardware and Software including IT/ITES at Greater Noida, Uttar Pradesh

The SEZ stands notified over an area of 10.006754 hectares. In the BoA meeting held on 22nd July, 2011 the request of the developer for authorized operations **was considered**. The request was, however, deferred as the Board noted that the developer has not given the details of the type of Houses it propose to construct. Also it was queried if there was adequate justification for creation of the proposed infrastructure in the non-processing area, as proposed by the Developer. The Board, also directed DC, NSEZ to submit a report, addressing the above issues for consideration of the Board. A report in the matter has since been received from the DC, NSEZ. The details of the activities, requested in the **non-processing** area, alongwith justification are as under:-

S. No.	Name of the authorized activity	No. of units	Total area (in sqm)	Justification
1	2	3	4	5
1	Residential Activity			Required for the stay of working staff of the SEZ and their family members. Will be developed as per the requirement of the upcoming units in the SEZ
	(i) Studio Apartments	400 (45 sqm each)	18000	
	(ii) Service Apartments	200 (60 sqm each)	12000	
2.	Commercial Activity: Commercial activities like food courts, serviced apartments, guest house and other commercial activities as allowed in SEZ instruction No. 30	NA	12660	Required for the SEZ staff and their various requirement in the SEZ
3.	Facilities: Creche for small children, nursery	NA	21100	Required for the staff in SEZ for the welfare of

	school for children, school for children, IT/ITES vocational institute, Indoor games, club, yoga stress management centre, preventive health care centre, auditorium for conference etc. mini hospital, swimming pool, banking and financial services.			their family members and children facility will be developed as per the requirement of the upcoming units in the SEZ.
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The request is placed before BoA for consideration.

(vii) Request of M/s. Anant Raj Industries Limited for authorized operations, in sector specific SEZ for IT/ITES at TP-1, Rai, Sonapat, Haryana

The above mentioned SEZ was notified on 1st September, 2008 over an area of 10 hectares. In the BoA meeting held on 15th January, 2009 the developer was inter-alia granted approval for *retail space and utilities like telephone kiosk, food kiosks etc.* over an area of 6826.55 sqm, in the non-processing area. The developer has now proposed to set up a bank branch in the above mentioned area. Since provision of bank branch is not categorically mentioned in the approval granted that the BoA under retail space and utilities, DC has forwarded the request for consideration of the BoA.

The request is placed before BoA for consideration.

(viii) Request of M/s. Canton Buildwell Private Limited for authorized operations in the sector specific SEZ for IT/ITES at Gurgaon, Haryana

Sector specific SEZ for IT/ITES at Gurgaon, Haryana being developed by M/s. Canton Buildwell Private Limited stands notified over an area of 19.3037 hectares. In the BoA meeting held on 22nd July, 2011 the request of the developer for additional authorized operations was considered. The minutes are as under:-

*“The Board noted that the developer has already been granted approval for certain authorized operations including Housing/Service Apartments. It was reported by DC, NSEZ that the developer has requested additional FAR to the extent of 105467 sqm. It was recommended by the DC that the developer must first, exhaust the FAR already approved, before applying for additional FAR. The Board accepted the DC’s recommendations and **did not approve** the request of the Developer.”*

The developer had requested for re-consideration of the request for authorized operations citing various reasons. Accordingly, a report in the matter was sought from DC NSEZ. DC NSEZ vide his report dated 30th August, 2011 (**Annexure - 5**) has recommended the request of the developer for approval of additional FAR to the extent of 105467 sqm to carry on authorized operations which is requested by the developer for master planning purposes and enhancement in the size of authorized operation namely power (including power back up facilities) from already approved 25 MW (22 MW in processing area and 3 MW in non-processing area) to 42 MW (26MW in processing area and 16 MW in non-processing area) in its IT/ITES sector SEZ at village Gwal Pahari, Gurgaon, subject to the condition that the construction of additional FAR would be allowed only after completion/utilization of the quantum already approved by BoA. The following authorized operations have been recommended for approval in the **non-processing** area of the SEZ.

S. No.	Authorized operations	Area (in sqm) with FSI/FAR	Ground Coverage (in sqm.)	Total entitlement of the developer for a particular activity (as per instruction no. 30)	Already sanctioned by BoA vide letter dated 30.05.08	Additional area sought with FAR	
1.	Residential						
	Housing and/or service apartment	86934	49677	30000	26467	60467	
2.	Commercial						
	a. Office space	30000	38470	7500	FAR/FSI shall be applicable by Local Town Planning Norms	10000	20000
	b. IT & Training Spaces in NPZ	45000		20000		25000	
	c. Shopping Arcade and/or Retail	5822		5822		--	
3.	Facilities						
	a. Polyclinic/Diagnostic Centre	2400	4001	12500	FAR/FSI shall be applicable by Local Town Planning Norms	2400	--
	b. Gymnasium, Ayurvedic Therapy Centre and Day Care Centre	1600		1600		--	
	c. Creche Club House cum Recreation Centre and Indoor Sports facility	2500		2500		--	
	d. Food services including Cafeteria, food courts, restaurants etc.	500		500		--	
	e. Administrative Block (Non FAR)	2000		1161		--	
	f. Energy Centre (Non FAR)	4390		4390		--	
	Total (excluding non FAR)	174756	92148	50000	69289	105467	

The request is placed before the BoA for consideration.

(ix) Request of M/s. G.P. Realtors Private Limited for authorized operations in sector specific SEZ for IT/ITES at village Behrampur, District Gurgaon, Haryana

The above mentioned SEZ stands notified over an area of 21.59023 hectares. In the BOA meeting held on 22nd July, 2011, the request of the developer for authorized operations, relating to residential/commercial/social, in the **non-processing area** of the SEZ was considered. The request was, however, deferred. The minutes are as under:-

*“The Board noted that the developer has not given the details of the type of Houses it propose to construct. It was also observed that there was inadequate justification provided for creation of the proposed infrastructure in the non-processing area, as proposed by the Developer. The Board, therefore, after deliberations, **deferred** the proposal and directed DC, NSEZ to submit a report, addressing the above issues for consideration of the Board.”*

A report in the matter has since been received from DC, NSEZ (**Annexure - 6**). As per the report, the developer has submitted a revised proposal which envisages approval for the following:-

S. No.	Name of Activity	Allowed	Permissible	Request for 1 st Phase	Applicable FAR/FSI as per state byelaws	Allowed FAR in 1 st Phase
1.	Residential	60%	64322.94 sqm	30000 sqm.	1.75	52500 sqm.
2.	Commercial	15%	16080.73 sqm.	7500 sqm	1.75	13125 sqm.
3.	Social	25%	26801.22 sqm.	12500 sqm.	1.00	12500 sqm.
Total			107204.89 sqm.	50000 sqm.		

The breakup of residential activity is as under:-

S. No.	Total No. of Units (Nos.)	Area of each unit (in sqm.)	Unit Type	Total Covered area of all units (in sqm.)
1.	224	74	2 Bedroom	16576
2.	200	91	3 Bedroom	18200
3.	160	108	4 Bedroom	17280
Total				52056

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

Item No. 48.4: Requests for withdrawal of formal approval

(i) Withdrawal of formal approval granted to Maharashtra Industrial Development Corporation for setting up of sector specific SEZ for Biotechnology at Ranjangaon, District Pune, Maharashtra

Maharashtra Industrial Development Corporation was granted formal approval for setting up of a sector specific SEZ for Biotechnology at Ranjangaon, District Pune, Maharashtra, over an area of 30 hectares, vide LoA dated 26th July, 2007. The SEZ is yet to be notified. Now, the developer has requested for withdrawal of formal approval. The developer has stated that the SEZ was proposed to be developed through co-developer(s). However, due to implementation of Direct Tax Code Policy, there was no response from the infrastructure developers. MIDC has, therefore, decided to scrap the project. DC SEEPZ SEZ 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. 48.5: Requests for de-notification

(i) Request of M/s. Benchmark Realty Private Limited for de-notification of the sector specific SEZ for IT/ITES at village Mouje Punawale, Taluka Mulshi, District Pune, Maharashtra, notified over an area of 10.01 hectares

The above mentioned SEZ was notified on 26th April, 2010 over an area of 10.01 hectares. Now, the developer has requested for de-notification of the SEZ due to

various reasons including lack of demand for space, imposition of MAT etc. The developer has also stated that no construction activity has been undertaken in the SEZ and, therefore, no duty benefits have been availed. DC, SEEPZ SEZ, has recommended the request of the developer.

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

(ii) Request of Maharashtra Industrial Development Corporation (MIDC) for de-notification of the sector specific SEZ for Agro Processing at District Akola, Maharashtra, notified over an area of 100 hectares

The above mentioned SEZ was notified on 17th June, 2008 over an area of 100 hectares. Now, the developer has requested for de-notification of the SEZ stating that due to lack of response from the interested infrastructure developers, the project could not be implemented. DC, SEEPZ SEZ, has recommended the request of the developer.

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

(iii) Request of M/s. Vivo Biotech Limited for de-notification of the sector specific SEZ for Biotech at village Pregnapur, Gajwel Mandal, Medak District, Andhra Pradesh, notified over an area of 10.926512 hectares

The above mentioned SEZ was notified on 27th June, 2009 over an area of 10.926512 hectares. In the BoA meeting held on 8th June, 2010 the developer was granted approval for inclusion of an additional area to the extent of 5.26091 hectares, thereby, making the total area of 16.18742 hectares. However, pending inspection report from DC, the additional land has not yet been notified. Therefore, the notified area remains 10.926512 hectares. Now, the developer has requested for de-notification of the entire SEZ area stating that it has been extremely difficult for the company to get new units in the SEZ because of the macroeconomic downturn. Further, the sole unit in the SEZ has opted out of SEZ and has already been approved for exit under Rule 74 of SEZ Rules, 2006 by DC. DC, VSEZ has recommended the request of the developer.

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

Item No. 48.6: Requests for increase/decrease in area

(i) Request of M/s. Arshiya International Limited for addition of land in the FTWZ at village Sai, Taluka – Panvel, District Raigad, Maharashtra

The developer was granted formal approval for an area of 68 Hectares. The above mentioned FTWZ stands notified over an area of 53.635 hectares as under:-

- (a) 45.76 Ha on 4th May, 2009
- (b) 6.985 Ha on 5th April, 2010
- (c) 0.890 Ha on 22nd July, 2010

The developer has requested to add a part of land admeasuring 3.410 hectares to the already notified SEZ, thereby making the total area of the SEZ as 57.045 hectares which is still less than the area for which formal approval was granted. The developer has stated that additional area will increase the project's viability. It has also been stated that the land is vacant contiguous and is in possession of the developer. DC, SEEPZ SEZ, has recommended the proposal.

The request of the developer for notification of the additional area is submitted for consideration of the Board of Approval.

In this case even after notification of the additional land the notified area remains less than the formally approved area. BoA is also requested to take a view as to whether such cases can be approved on file or are required to be placed before the Board.

(ii) Request of M/s. International Biotech Limited for decrease in area of the notified sector specific SEZ for Biotechnology at District Pune, Maharashtra

The above mentioned SEZ was notified on 22nd May, 2009 over an area of 12.87 hectares. Now, due to lack of demand of space in the SEZ, the developer has requested for de-notification of an area of 2.299 hectares, thereby, making the total area of the SEZ as 10.571 hectares. The developer has informed that no benefits have been availed in respect of the land to be de-notified. DC, SEEPZ SEZ, has recommended the proposal.

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

(iii) Request of M/s. Maytas Hill County SEZ Private Limited for decrease in area of the notified sector specific SEZ for IT/ITES at Bachupally village, Qutubullapur Mandal, Ranga Reddy District, Andhra Pradesh

The above mentioned SEZ was notified on 13th June, 2007 over an area of 29.87 hectares. Subsequently in the BoA held on 13th July, 2010 the developer was also granted approval for de-notification of an area of 8.64 hectares, thereby, making total area of the SEZ as 21.23 hectares. Now, citing unfavourable market conditions, the developer has requested for further de-notification of an area of 8.01 hectares, thereby, making the total area of the SEZ as 13.22 hectares. DC VSEZ has recommended the proposal stating even after the de-notification that the SEZ would be contiguous and would meet the minimum land requirement. DC has informed that the developer has refunded the duty benefit availed in respect of the land being de-notified.

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

(iv) Request of M/s. Smart City (Kochi) Infrastructure Private Limited for addition of land in the sector specific SEZ for IT/ITES at Kanayanoor Taluk, Ernakulam District, Kerala

The above mentioned SEZ was notified on 1st March, 2011 over an area of 53.1809 hectares. The developer has requested to add a part of land admeasuring 46.3773 hectares to the already notified SEZ, thereby making the total area of the SEZ as

99.5582 hectares. The request was considered in the BoA meeting held on 22nd July, 2011 and was deferred. The minutes are as under:-

“The Board noted that the land parcel proposed to be added to the existing SEZ is separated from the SEZ by a water body. The Board has to consider a specific plan for establishing contiguity in the proposed enlarged SEZ before granting approval. This plan has to be prepared in compliance with all statutory, environmental and other requirements and approvals from State Government/other entities. The plan needs to be submitted for examination to the jurisdictional Chief Commissioner (Customs and Excise) alongwith the Development Commissioner, Cochin SEZ, and a report would have to be submitted for consideration of the Board. The Board clarified that the report needs to include an assessment of likely expenses to be incurred for establishing contiguity. The Board further clarified that no duty benefits would be permissible for the expenses incurred for establishing contiguity. The Board deferred the proposal to the next meeting and advised the applicant to quickly put a plan together so that the case could be taken up for consideration.”

The developer has submitted a master plan to DC CSEZ for establishment of contiguity. As per master plan, contiguity is to be established with bridges and estimated cost for the bridges is Rs. 80 crores which is included in the project cost. The developer has also enclosed drawings and images of the proposed bridges and location of the same marked in a satellite picture. The developer has stated that till the contiguity is established as above the three areas will independently protected by compound wall/fencing as required and three area will be operating as independent bonded areas and there will be no chance for revenue leakage. Report of the DC along with a copy of letter dated 25th August, 2011 of the developer is at **Annexure - 7**.

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

Item No. 48.7: Requests for first extension of validity of formal approvals

- (i) Request of M/s. Capstone Developer Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at 24 Parganas (South), West Bengal, beyond 29th October, 2011.
- (ii) Request of M/s. Primrose Buildworth Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware including IT/ITES at village Sehola, Tehsil Taoru, District Nuh, Haryana, beyond 24th June, 2011.
- (iii) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of a sector specific SEZ for Multi-Services at village Ulwe, Navi Mumbai, Mahartashtra, beyond 26th February, 2012.
- (iv) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of a sector specific SEZ for Gems and Jewellery at village Ulwe, Navi Mumbai, Mahartashtra, beyond 26th February, 2012.

- (v) Request of M/s. Golden Tower Infratech Private Limited for extension of the validity period of formal approval, granted for setting up of a sector specific SEZ for IT/ITES at Noida, Uttar Pradesh, beyond 2nd September, 2011
- (vi) Request of M/s. Khed Economic Infrastructure Private Limited for extension of the validity period of formal approval, granted for setting up of Multi Product SEZ at Taluka Shirpur & Khed, District Pune, Maharashtra, beyond 1st January, 2012.
- (vii) Request of M/s. DLF Commercial Developers Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Sector 143A, Noida, Uttar Pradesh, beyond 2nd July, 2011.
- (viii) Request of M/s. DSRK Holding (Chennai) Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Sholinganallur village, Tambaram Taluk, Kanchipuram District, Tamil Nadu, beyond 29th October, 2011.
- (ix) Request of M/s. Mayar Infrastructure Development Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at village Rahaka & Nimoth, Tehsil Sohna, District Gurgaon, Haryana, beyond 13th July, 2011 (*Notified over an area of 15.0877 ha.*)
- (x) Request of M/s. Mayar Infrastructure Development Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at village Rahaka & Nimoth, Tehsil Sohna, District Gurgaon, Haryana, beyond 13th July, 2011 (*Notified over an area of 25.7177 ha.*)
- (xi) Request of M/s. Best on Health Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotech at Gurgaon, Haryana, beyond 26th February 2012
- (xii) Request of M/s. Gujarat Hydrocarbon and Power SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Oil and Gas including its derivatives (Petrochemicals) at village Vilayat, Taluka Vagra, District Bharuch, Gujarat, beyond 5th February 2012
- (xiii) Request of M/s. Concord India Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Kadugondi Industrial Area, Kadugondi Plantation village, Bidarahalli Hobli, Bangalore East Taluk, Karnataka, beyond 29th October 2011
- (xiv) Request of M/s. Bangalore International Airport Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Airport at Devanahalli, Bangalore, Karnataka, beyond 28th September 2011

Item No. 48.8: Delayed request for first extension of formal approval

(i) Request of M/s. Inox Mercantile Company Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at Verna, Goa, beyond 18th June, 2010.

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 48.48 hectares, vide LoA dated 19th June, 2007. The SEZ is yet to be notified. The validity of the formal approval has already expired on 19th June, 2010. The developer has now requested for extension of the validity and has not given any reasons for delay in seeking extension of the validity. However, the developer has stated that the Government of Goa claimed to have withdrawn its SEZ Policy and issued Show Cause Notice for revocation of allotment of land for the SEZ. They have filed Writ Petition in the Hon'ble High of Bombay at Goa challenging the Show Cause Notice. They have further stated that they have filed SLP in the Hon'ble Supreme Court challenging the High Court Order dated 26.11.2010 and the matter is still pending before the Hon'ble Supreme Court. Further, Rs. 4.89 crore has already been investment in land. DC, SEEPZ has recommended the request of the developer. In this case BoA is to consider granting two years extension w.e.f. 18th June, 2010.

(ii) Request of M/s. Planetview Mercantile Company Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Gems & Jewellery at Verna, Goa, beyond 26th June, 2010.

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 13.28 hectares, vide LoA dated 27th June, 2007. The SEZ is yet to be notified. The validity of the formal approval has already expired on 26th June, 2010. The developer has now requested for extension of the validity and has not given any reasons for delay in seeking extension of the validity. However, the developer has stated that the Government of Goa claimed to have withdrawn its SEZ Policy and issued Show Cause Notice for revocation of allotment of land for the SEZ. They have filed Writ Petition in the Hon'ble High of Bombay at Goa challenging the Show Cause Notice. They have further stated that they have filed SLP in the Hon'ble Supreme Court challenging the High Court Order dated 26.11.2010 and the matter is still pending before the Hon'ble Supreme Court. Further, Rs. 14.27 crore has already been investment in land. DC, SEEPZ has recommended the request of the developer. In this case BoA is to consider granting two years extension w.e.f. 26th June, 2010.

Item No. 48.9: Requests for second extension of validity of formal approvals

(i) Request of Electronics Corporation of Tamil Nadu Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Hosur, Tamil Nadu, beyond 25th July, 2011.

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 70.085 hectares, vide LoA dated 26th July, 2007. The SEZ was notified on 4th May, 2009, over an area of 70.010 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 25th July, 2011. The developer given the details of the steps taken towards implementation of the project and has stated that the SEZ is likely to operational by June, 2012. DC, MEPZ, has recommended grant of further extension for a period of one year.

The request of the developer for grant of second extension of the validity of formal approval is placed before the BoA.

(ii) Request of M/s. Canton Buildwell Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Gurgaon-Faridabad Road, Haryana, beyond 25th July, 2011

The developer was granted formal approval, for setting up the above mentioned SEZ, vide LoA dated 26th July, 2007. The SEZ stands notified, over an area of 19.3037 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 25th July, 2011. The developer has given the details of steps taken to implement the project. It has also been informed that the first unit is likely to commence operations post completion of the interior work by August/September 2011. The developer needs more time to complete the project and has, therefore, requested for grant of further extension of validity of the formal approval. DC, NSEZ, has recommended grant of further extension for a period of one year.

The request of the developer for grant of second extension of the validity of formal approval is placed before the BoA.

(iii) Request of M/s. Tata Consultancy Services Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Gandhinagar, Gujarat, beyond 16th December 2011

The developer was granted formal approval, for setting up the above mentioned SEZ, vide LoA dated 17th December, 2007. The SEZ was notified on 30th September, 2008, over an area of 10.319 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 16th December, 2011. The developer has given the details of steps taken to implement the project and has informed that the first phase is likely to be completed by March/April. Further, an investment of Rs. 128.71 crores has been made in land and building for the project. DC, KASEZ, has recommended grant of further extension for a period of one year.

The request of the developer for grant of second extension of the validity of formal approval is placed before the BoA.

(iv) Request of M/s. Sunny Vista Realtors Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services at Taluka Pannel, District Raigad, Maharashtra, beyond 14th October, 2011

The developer was granted formal approval, for setting up the above mentioned SEZ, vide LoA dated 15th October, 2007. The SEZ was notified on 19th February, 2009, over an area of 139.83 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 14th October, 2011. The developer has given the details of steps taken to implement the project and has informed that the road works, administrative blocks, site preparation, electrification works have been completed alongwith the commencement of construction activities in the processing and non-processing area. The developer has stated that the reason for seeking extension is due to delay in receipt of

layout/building plan approval. DC, SEEPZ, has recommended grant of further extension for a period of one year.

The request of the developer for grant of second extension of the validity of formal approval is placed before the BoA.

(v) Request of M/s. Raheja SEZ Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Engineering at villages Hamipur, Khetawas, Saidpur & Wazirpur, District Gurgaon, Haryana, beyond 9th August, 2011.

The developer was granted formal approval, for setting up the above mentioned SEZ, vide LoA dated 10th August, 2007. The SEZ was notified on 10th March, 2008, over an area of 103.0154 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 9th August, 2011. The developer has informed that processing and non-processing area has been demarcated, marketing of the SEZ is under way, master plan has been submitted for approval and State Government has been requested to provide access to SEZ. The developer needs more time to implement the project and has, therefore requested further extension of validity of formal approval. DC, NSEZ, has recommended grant of further extension for a period of one year.

The request of the developer for grant of second extension of the validity of formal approval is placed before the BoA.

(vi) Request of M/s. Parsvnath SEZ Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotech at village Karkapatla, Mandal Mulugu, District Medak, Andhra Pradesh, beyond 21st August, 2011.

The developer was granted formal approval, for setting up the above mentioned SEZ, vide LoA dated 22nd August, 2007. The notification of the SEZ is under process in this Department. The developer has been granted first extension of the formal approval, the validity of which was up to 21st August, 2011. The developer has informed that conveyance deed has been executed, master plan/layout plan for the SEZ has been submitted to the plan sanctioning authority, barricading of the site has been done. Further, in absence of notification of the SEZ layout plan could not be sanctioned, therefore, no development work could be undertaken on the site. DC, VSEZ, has recommended grant of further extension for a period of one year.

The request of the developer for grant of second extension of the validity of formal approval is placed before the BoA.

(vii) Request of M/s. Rudradev Township Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Solankurini village, Madurai Taluk, Madurai District, Tamil Nadu, beyond 25th July, 2011

The developer was granted formal approval, for setting up the above mentioned SEZ, vide LoA dated 26th July, 2007. The SEZ was notified on 22nd April, 2008, over an area of 31.04 Ha. The developer has been granted first extension of the formal approval, the validity

of which was up to 25th July, 2011. The developer has requested for grant of further extension stating that the project got delayed due to worldwide recession due to which the company could not get bank funding for completing the project. DC, MEPZ, has recommended grant of further extension for a period of one year.

The request of the developer for grant of second extension of the validity of formal approval is placed before the BoA.

(viii) Request of M/s. Sterling SEZ and Infrastructure Limited for second extension of the validity period of formal approval, granted for setting up of a multi product SEZ at Jambusar, District Bharuch, Gujarat, beyond 30th September, 2011

The developer was granted formal approval, for setting up the above mentioned SEZ, vide LoA dated 1st October, 2007. The SEZ was notified on 11th February, 2009, over an area of 1263.0017 Ha. The developer has been granted first extension of the formal approval, the validity of which is up to 30th September, 2011. The developer has requested for grant of further extension of the formal approval. DC, Sterling SEZ has recommended the request stating that the developer and the units have already made an investment of Rs.1192.31 crores and providing employment to 1139 persons. DC, has also informed that the SEZ is expected to be operational in the first quarter of 2012.

The request of the developer for grant of second extension of the validity of formal approval is placed before the BoA.

Item No.48.10: Requests for third extension of validity of formal approvals

(i) Request of M/s. International Biotech Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at District Pune, Maharashtra beyond 24th October 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 13 hectares, vide LoA dated 25th October, 2006. The SEZ was notified on 22nd May, 2009 over an area of 12.87 hectares. The developer has already been granted two extensions. The validity of the last extension is up to 24th October, 2011. The developer has requested for further extension of the validity. DC SEEPZ SEZ has stated that due to uncertainty of the future benefits for the SEZs under the proposed Direct Tax Code, they had withheld any construction activity and completion of other formalities. Further, there was some confusion regarding global FSI & percentage of mandatory open space required to be kept aside, for which the developer is required to resubmit a revised master plan to the Special Planning Authority (MIDC). DC, SEEPZ SEZ, has recommended grant of further extension for a period of one year.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(ii) Request of M/s. Dr. Fresh Health Care Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Gurgaon, Haryana beyond 25th June 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 30.35 hectares, vide LoA dated 26th June 2006. The SEZ was notified on 17th April 2007 over an area of 23.429 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 25th June, 2011. The developer has given the details of steps taken to implement the project and has informed that phase I is expected to be ready for operation by March 2012. The developer needs more time to complete the project and has, therefore, requested for grant of further extension of validity of the formal approval. DC, NSEZ, has recommended grant of further extension for a period of one year.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(iii) Request of M/s. Peninsula Pharma Research Centre Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at Sancoale, Goa, beyond 24th October 2010

The developer was granted formal approval vide LoA dated 25th October 2006. The SEZ was notified on 10th July 2007 over an area of 20.365 hectares. The developer has already been granted two extensions. The validity of the last extension is up to 24th October, 2011. The developer has requested for further extension of the validity of the formal approval. The developer has stated that the Government of Goa claimed to have withdrawn its SEZ Policy and issued Show Cause Notice for revocation of allotment of land for the SEZ. They have filed Writ Petition in the Hon'ble High of Bombay at Goa challenging the Show Cause Notice. They have further stated that they have filed SLP in the Hon'ble Supreme Court challenging the High Court Order dated 26.11.2010 and the matter is still pending before the Hon'ble Supreme Court. Further, Rs. 17.30 crore has already been investment in land. DC, SEEPZ has recommended the request of the developer.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(iv) Request of M/s. Meditab Specialities Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceuticals at Bhut Khamb, Kerim, Ponda, Goa, beyond 22nd August 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 123.2 hectares, vide LoA dated 23rd August 2006. The SEZ was notified on 10th April 2007 over an area of 123.20 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 22nd August, 2011. The developer has informed that development work at site could not be completed till date in view of matter being sub-judice. Further, that SLP in the Hon'ble Supreme Court against High Court Order dated 26.11.2010 in W.P. No. 380/2008 is pending. The developer has, therefore, further extension. DC, SEEPZ, has recommended grant of further extension to the developer.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(v) Request of M/s. Platinum Holdings Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Hardware and Software at Navallur village, Chengulpet Taluk and Semmencherry village, Tambaram Taluk, Kancheepuram District, Tamil Nadu, beyond 5th November 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 10.57 hectares, vide LoA dated 6th November 2006. The SEZ was notified on 16th April 2008 over an area of 10.57 hectares. The developer has already been granted two extensions. The validity of the last extension is up to 5th November, 2011. The developer has given the details of steps taken to implement the project and has requested for grant of further extension of validity of the formal approval. DC MEPZ has recommended the request of the developer stating that the developer has already completed major items of works in SEZ and is keen to implement the project.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(vi) Request of Kerala Industrial Infrastructure Development Corporation (KINFRA) for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronics Industries at Thrikkakara village, Kanayannur Taluk, Ernakulam District, Kerala beyond 20th August 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 12.141 hectares, vide LoA dated 21st August 2006. The SEZ was notified on 13th June 2007 over an area of 12.141 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 20th August, 2011. The developer has given the details of steps taken to implement the project. The developer needs more time to complete the project and has, therefore, requested for grant of further extension of validity of the formal approval. DC, CSEZ, has recommended the request of the developer.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(vii) Request of M/s. Wockhardt Infrastructure Development Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceutical at MIDC Industrial Area, Shendre, Aurangabad, Maharashtra, beyond 2nd November 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 107 hectares, vide LoA dated 3rd November 2006. The SEZ was notified on 17th April 2007 over an area of 107.06 hectares. The developer has already been granted two extensions. The validity of the last extension is up to 2nd November, 2011. The developer has requested for further extension of the formal approval. DC SEEPZ has informed that, the developer has stated that Rs. 221.8 crores have been invested in the SEZ so far. Further, the delay in implementation of the SEZ is due to reasons beyond its control, the unit is not in a position to operationalize in the stipulated time as approvals from regulators of foreign

countries to which the product will be exported is in progress. They have further stated that the production would commence as soon as the regulators of foreign countries approve the unit for export. DC has also informed that, the developer has obtained all statutory approvals and license from Indian regulators. DC has, therefore, has recommended grant of further extension for a period of one year.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(viii) Request of M/s. GHI Finlease and Investment Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Bhondsi, Tehsil Sohna, District Gurgaon, Haryana, beyond 24th August 2010

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 10.62 hectares, vide LoA dated 25th August 2006. The SEZ was notified on 3rd December 2007 over an area of 12.936 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 24th August, 2011. The developer has stated that the project has been delayed due to circumstance beyond their control. The developer needs more time to implementation the project and has, therefore, requested for grant of further extension of formal approval. DC NSEZ has recommended grant of further extension for a period of one year.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(ix) Request of M/s. Newfound Properties and Leasing Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Juinagar, District Thane, Maharashtra, beyond 20th August 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 21.41 hectares, vide LoA dated 21st August 2006. The SEZ was notified on 22nd August 2008 over an area of 21.26 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 20th August, 2011. The developer has given has submitted the details of developmental work done in the SEZ and has intimated that due to the global recessionary trends, coupled with financial credit crunch, the project encountered slow rate of implementation. The developer has further stated that the company is keen to execute the project and has, therefore, sought further extension of the validity of formal approval. DC SEEPZ has recommended grant of further extension to the developer.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(x) Request of M/s. Claridges SEZ Developers Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services at Raigad District, Maharashtra, beyond 26th June 2011

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 108 hectares, vide LoA dated 27th June 2006. The notification of the SEZ is under process in this Department. The developer has already been granted two extensions.

The validity of the last extension was up to 26th June, 2011. The developer has stated that a substantial part of their land was covered under Notification dated 08.06.2006 issued by this Department for acquisition of land. Subsequently, Government of Maharashtra vide Notification dated 19.05.2009 excluded their land from its acquisition list. They have stated that obtaining NOC from MIDC was the cause of major delay to seek permission under Maharashtra tenancy & Agricultural land Act. They have further stated that since April 2010, they have taken various steps regarding transfer of land, submission of requisite certificate/documents for Notification of the SEZ, change of name of the company & acquisition of land to ensure contiguity, connectivity & access to the proposed SEZ. DC SEEPZ has recommended grant of further extension to the developer.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

(xi) Request of M/s. Karanja Infrastructure Private Limited for third extension of the validity period of formal approval, granted for setting up of Free Trade Warehousing Zone (FTWZ) at village Chanje, Taluka Uran, District Raigad, Maharashtra, beyond 30th October 2011

The developer was granted formal approval vide LoA dated 31st October 2006. The FTWZ was notified on 18th August 2010 over an area of 40.02.08 hectares. The developer has already been granted two extensions. The validity of the last extension was up to 30th October, 2011. The developer has requested for further extension stating that DTC created serious reservations about the tax exemption to be provided to units/co-developers/developer under the provision of the SEZ Act and Rules as amended from time to time. This grey area has not been taken kindly by the lenders resulting in delay in financial closure. Therefore, the company is preferring to initiate further concrete action to put brick and mortar in place after & clear cut mandate is reached about the ceiling on tax benefits for SEZs through the Direct Tax Code Bill with specific cut off dates. DC SEEPZ has recommended grant of further extension to the developer.

The request of the developer for grant of third extension of the validity of formal approval is placed before the BoA.

Item No. 48.11: Requests for extension of in-principle approval beyond fourth year.

S. No.	Name of the Developer	Sector and area	Location of the SEZ	Remarks
1.	M/s. Chhindwara Plus Developers Limited	Multi Product, 3487.076 Ha	Saurar Tehsil, Chhindwara District, Madhya Pradesh	In-principle approval, for an area of 2000 hectares, was granted vide LoA dated 30 th July 2007. Subsequently, in the BoA meeting held on 22 nd September 2008 the developer was granted approval for inclusion of additional area to the extent of 1487.076 hectares to the in-principally approved area, thereby making the total area of the SEZ as 3487.076 hectares. The developer has already been granted three extensions. The validity of last extension was

				up to 30 th July 2011. The developer has now requested for further extension of validity. The developer was informed that stating that the company has already acquired 1900 hectares. It has also been informed that major hurdle has been the acquisition of Tribal land, which was approved for transfer by the ‘Apex Committee’ of the Government of Madhya Pradesh in April, 2011. The developer proposes to consolidate a total of 2100 Ha of land within a year before seeking formal approval. DC, ISEZ has recommended the request.
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Item No. 48.12: Requests for extension of in-principle approval beyond fifth year.

1.	M/s. Bengal SREI Infrastructure Development Limited	Auto Components, 200 Ha	Kharagpur, West Bengal	In-principle approval was granted vide LoA dated 25 th October 2006. The developer has already been granted extensions from time to time. The validity of last extension was up to 21 st June 2011. The developer has now 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. Government of West Bengal has recommended further extension to the project. DC, FSEZ has forwarded the request for consideration of BoA.
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Item No. 48.13: Request of M/s. Rewas Port Limited for re-consideration of the decision of the BoA rejecting its request for grant of fourth extension of in-principle approval for setting up of a Multi Product SEZ at Rewas District, Raigarh, Maharashtra, over an area of 2850 hectares

In-principle approval was granted to the proposal vide LoA dated 26th June 2007. The developer has been granted three extensions of one year each. The validity of the last extension was up to 25th June 2011. The request of the developer for extension of the validity of the in-principle approval beyond 2011 was considered in the BOA meeting held on 31st May, 2011 and rejected. The minutes are as under:-

*“DC, SEEPZ informed the Board that the project is unlikely to take off in the future as the developer is unlikely to acquire the land for the project. The Board after, deliberations **rejected** the request for further extension of in-principle as the developer has failed to acquire the land even after lapse of four years after the grant of in-principle approval.”*

The developer has requested for re-consideration of the decision of BoA and grant of extension of in-principle approval beyond 25th June, 2011. The developer has stated that it has already acquired 839.1 hectares of intertidal land from Maharashtra Maritime Board, Government of Maharashtra. Further the company is pursuing with the Government of

Maharashtra to transfer 194 hectares of land so that it can meet the minimum land requirement for a multi-product SEZ and apply for formal approval. The developer has also stated that Rs. 350 crores have been in the project so far. DC SEEPZ SEZ has recommended the request of the developer.

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

Item No. 48.14: Request for transfer of unit from one SEZ to another

(i) Request of M/s. PAREXEL International (India) Private Limited a unit in the sector specific SEZ for IT/ITES at Hyderabad by M/s. DLF Cyber City SEZ, for shifting its location to sector specific SEZ for IT/ITES at Madhapur, Ranga Reddy District, Andhra Pradesh, being developed by M/s. Sundew Properties Private Limited (Raheja Mindspace SEZ)

M/s. PAREXEL is a unit in sector specific SEZ for IT/ITES at Hyderabad being developed by M/s. DLF Cyber City SEZ. The unit has stated that the company has significant expansion plans for its existing operations and the DLF Cybercity SEZ does not offer the company favorable terms to execute its expansion plans. Therefore, company has decided to shift its operations to sector specific SEZ for IT/ITES at Madhapur, Ranga Reddy District, Andhra Pradesh, being developed by M/s. Sundew Properties Private Limited (Raheja Mindspace SEZ). The detailed justification given by the unit for the proposed transfer is at **Annexure - 8**. DC, VSEZ has informed that the unit has commenced production and is exporting. DC has recommended the request of the unit, subject to the condition that all eligible benefits will be available only against the existing LoA.

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

Item No. 48.15: Requests for setting up of Unit for export of Restricted/Prohibited Items

(i) Proposal of M/s. Punit Agro Industries for setting up unit in the multi product SEZ at Jambusar, Bharuch, Gujarat, being developed by M/s Sterling SEZ and Infrastructure Limited, for processing of pulses

The above multi product SEZ was notified 9th January, 2008 over an area of 1263.17 Ha. M/s. Punit Agro Industries has submitted an application for setting up a unit in the above mentioned SEZ for processing of Pulses and their by-products being Cattle Feed, Rejection, Tukdi and sorting, repacking and Trading of Pulses, Basmati Rice, spices and Grocery items i.e. Papad, Rice Wafer, Rice Flakes, Puff Rice, Rice Flour, Gram Flour.

DC Sterling SEZ has informed that the application of the unit was placed before the UAC and the UAC has approved the request in r/o Sorting, Repacking and Trading of Basmati Rice, Spices and Grocery Items i.e. Papad, Rice Wafer, Rice Flakes, Puff Rice.

The UAC has decided to forward the request of the unit before the BoA, for approval in r/o of the processing of Pulses and their By-products and Trading of Pulses, rice flour and gram flour.

The matter was considered in the BoA meeting held on 22nd July, 2011 and the board deferred the case and directed DC, Sterling SEZ to clarify to the promoters of the prospective

unit that the unit will not be allowed to make any DTA transaction and also to obtain an undertaking to that effect. A report in the matter has since been received from DC. The DC has informed that the unit has undertaken to import the pulses only from outside India and will not procure from the DTA. Further, the unit has also undertaken to export all the finished goods made out of the imported raw materials. However, all types of wastages and rejections/ by products generated during the manufacturing process shall be removed by the unit into DTA as per the provision of Foreign Trade Policy and SEZ Act, 2005 and SEZ Rules, 2006

Accordingly, the proposal is again placed before the BoA for consideration.

(ii) Request of M/s. Jabs International Private Limited a unit in the FTWZ at village Sai, Taluka Panvel, District Raigad, Maharashtra, being developed by M/s. Arshiya International Limited over an area of 53.635 hectares, for import/export of prohibited goods (pulses) and procurement of restricted items from DTA for export

The request of M/s. Jabs International Private Limited a unit in the above FTWZ, for import/export of prohibited goods (pulses) and procurement of restricted items from DTA for export was considered in the BoA meeting held on 31st May, 2011. The Board noted that there was no categorical statement by the unit that there will be no DTA transaction. Accordingly, the proposal was rejected. DC SEEPZ has now informed that the unit has requested for re-consideration of its request and has made following submissions:-

- (i) The products to be included in LOA which are restricted /prohibited from export from India would be imported for re-export.
- (ii) The Products to be included in the LOA are freely importable as per FTP, 2009-14
- (iii) As per Instruction No. 47 dated 04.03.2010, the MOC & I has clarified that SEZ units are permitted to export prohibited items, provided the raw materials for the same are imported from outside India.
- (iv) In the cases of M/s. Prakash Overseas, M/s. Kogta Import Export Pvt. Ltd., M/s. Diet Foods International and Kitchen Express Overseas Ltd., the BOA had approved the request for setting of units for processing of pulses subject to the condition that the Pulses will be imported from outside India and no procurement will be made from DTA till prohibition on exports continue in the FTP.
- (v) The proposal relates to import of pulses and other products from outside India which are otherwise restricted /prohibited for export when sourced from domestic market.

A detailed agenda note indicating the list of prohibited/restricted items proposed to be imported/exported, as received from DC SEEPZ, is at **Annexure - 9**.

The request is again placed before the BoA for consideration.

(iii) Request of M/s. Haji Sattar Habib & Sons for setting up of unit for trading of pulses in the FTWZ at village Sai, Taluka Panvel, District Raigad, Maharashtra, being developed by M/s. Arshiya International Limited, over an area of 53.635 hectares

The request of M/s. Haji Sattar Habib & Sons for setting up of unit, in the above FTWZ, for trading pulses was considered in the BoA meeting held on 31st May, 2011. The

Board noted that there was no categorical statement by the unit that there will be no DTA transaction. Accordingly, the proposal was rejected. DC SEEPZ has now informed that the unit has requested for re-consideration of its request and has made following submissions:-

- (i) The product classified as “Restricted/Prohibited” for exports from India would be imported by them for re-exports or DTA clearance, as the case may be.
- (ii) They do not intend procure “Restricted/Prohibited” items from DTA.
- (iii) The products to be imported are freely importable as per FTP, 2009-14.
- (iv) As per Instruction No. 47 dated 04.03.2010 issued by MOC&I, SEZ units are permitted to export prohibited items provided the raw materials are imported from outside India.
- (v) Their proposal envisage import of pulses and other products from outside India which are “Restricted/Prohibited” for exports, when source from DTA, there is no contravention of provisions of FTP and Instruction No. 47 dated 04.03.2010 issued by this Department.

A detailed agenda note indicating the list of prohibited/restricted items proposed to be imported/ exported, as received from DC SEEPZ, is at **Annexure - 10**.

The request is again placed before the BoA for consideration.

(iv) Proposal of M/s. SRSS Foods for setting up unit in KASEZ for processing of Pulses falling under the chapter heading No. 0713 of the ITC-HS

M/s. SRSS Foods, 2683, Naya Bazar, had proposed to set up unit in the KASEZ for processing of Pulses falling under the Chapter Heading No. 0713 of the ITC-HS. The unit proposes to import the pulses and carry out sorting and de-husking.

DC KASEZ has intimated that the proposed project cost is Rs. 185 lakhs. The FOB value of export has been projected for 5 years period of Rs. 21312 lakhs against foreign exchange outgo of Rs. 14208 lakhs with N.F.E achievement is Rs. 7104 lakhs.

The proposal of M/s. SRSS Foods was discussed in the Approval Committee Meeting of Kandla SEZ in its 46th meeting held on 11.07.2011. Since the export of pulses is prohibited under ITC HS, it was decided to refer the application to the Board of Approval for consideration.

Accordingly, the proposal is placed before the BoA for consideration.

Item No. 48.16: Requests for extension of LoP of units beyond 3rd year

(i) Request of M/s. Meghmani Unichem LLP, a unit in Dahej SEZ for extension of Letter of Permission (LOP) beyond 25th September, 2011

M/s. Meghmani Unichem LLP, was granted LoP for setting up a unit in Dahej SEZ, vide LoP dated 26th September, 2008. Subsequently, on request of the unit, DC had extended LoP of the unit up to 25th September, 2011, in respect of manufacturing activity. The unit has requested for further extension of the validity of the LoP for a period of two years. DC, Dahej SEZ, has informed that the unit has started construction of fencing/boundary wall. Further, the unit has received clearance from Gujarat Pollution Control Board, however,

Environment Clearance from MoEF is pending due to which the unit has not been able to complete two-third of activities. DC has also informed that, after getting the Environment Clearance, the unit would take another 2 years' to complete the work and start commercial production. DC has, therefore, recommended grant of 2 years' extension to the unit.

As per rule 19 (4) of the SEZ rules 2006, the DC may grant extension of 1 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, Dahej SEZ has 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 25th September, 2011 is placed before the BoA for consideration.

(ii) Request of M/s. IT Shastra (India) Private Limited, a unit in MADC SEZ, Nagpur for extension of Letter of Permission (LOP) beyond 17th July, 2011

M/s. IT Shastra (India) Private Limited, was granted LoP for setting up a unit in MADC SEZ, Nagpur, vide LoP dated 18th July, 2008 for software development and ITES. Subsequently, on request of the unit, DC had extended LoP of the unit up to 17th July, 2011. The unit has requested for further extension of the validity of the LoP. DC, has stated that the unit could not start construction as there was delay in getting registration of Lease Deed in Registration Office, Nagpur, now the registration has been done on 15th July, 2011. DC has also informed that there has been delay in getting power supply for units in the SEZ. The developer has set up a power plant of 240 MW in collaboration with M/s. Abhijeet MADC Nagpur Energy Pt. Ltd., at a distance of 14 Kms from SEZ. Recently, they have been given permission for power distribution for SEZ units. The distribution lines are being installed and power supply to SEZ units from this power plant is expected to commence in October, 2011. In view of the above the unit has not been able to complete the project.

As per rule 19 (4) of the SEZ rules 2006, the DC may grant extension of 1 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 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 17th July, 2011 is placed before the BoA for consideration.

Item No. 48.17: Requests for extension of LoP of units beyond 4th year

(i) Request of M/s. Foxconn Technology (India) Private Limited, a unit in SIPCOT SEZ, Sriperumbudur, Tamil Nadu, for extension of Letter of Permission (LOP) beyond 29th August, 2011

M/s. Foxconn Technology (India) Private Limited, was granted approval for setting up a unit in SIPCOT SEZ, Sriperumbudur, Tamil Nadu, vide LoP dated 30th August, 2007. Subsequently, the LoP of the unit was extended from time to time. The last extension was valid up to 29th August, 2011. The unit has requested for further extension for a period of six months stating that it is close to the commencement of commercial production but because of

some delay in procuring the necessary equipments, materials and due to other initial teething troubles, it is not in a position to commence the commercial production, as they had originally planned, during August, 2011. The unit has however stated that it is making all efforts to start commercial production within the next three months.

The request of the unit for grant of further extension of LoP for a period of six months beyond 29th August, 2011 is placed before the BoA for consideration.

(ii) Request of M/s. Finestar Diamonds, a unit in SEEPZ SEZ, Andheri East, Mumbai, for extension of Letter of Permission (LOP) beyond 7th December, 2008

M/s. Finestar Diamonds, was granted approval for setting up a unit in SEEPZ SEZ, vide LoP dated 7th December, 2007, for manufacture and export of plain and studded jewellery made of silver, gold and platinum. DC, SEEPZ SEZ has informed that the LoP of the unit stands expired on 7th December, 2008 as the unit did not seek extension beyond 7th December, 2008. The unit has requested for further extension stating that they could not implement the project because of recession in the US market and were not having sufficient order in hand. Further MIDC had allotted the premises only on 02.04.2009 and therefore, they could not implement the project before expiry of the LoA. The unit has requested for revalidation of the LoA with effect from 07.12.2008 as they have made substantial investment and completed two-third of activity relating to setting up of unit.

DC, SEEPZ has recommended grant of further extension to the unit w.e.f. 8th December, 2008

The request of the unit grant of extension of LoP with retrospective effect is placed before the BoA for consideration.

Item No. 48.18: Request of M/s. Biocon Limited for broad banding of the sector of the SEZ for “Biotechnology” at Anekal Taluk, Bangalore, Karnataka as “Bio-pharmaceuticals” covering biotech and pharmaceutical products

The above mentioned sector specific SEZ for “Biotechnology” at Anekal Taluk, Bangalore, Karnataka was notified on 1st August 2006 over an area of 35.55 hectares. In the BoA meeting held on 14th January, 2011 the request of the developer for broad banding the sector of the SEZ as Bio-Pharmaceutical SEZ to cover both biotech as well as pharmaceutical products was considered and deferred. The minutes are as under:-

“The Board decided that the DC Cochin and Zonal Customs Commissioner may visit the unit and send a factual report for the consideration of BoA. Accordingly, the proposal was deferred for the next meeting.”

A report in the matter has been received from DC, CSEZ and is at **Annexure - 11**. Further, D/o Pharmaceuticals as well as D/o Biotechnology have been requested furnish their comments in the matter. However, their comments are awaited.

The request of the developer is submitted for consideration of the BoA.

Item No. 48.19: Request for duty free procurement of Diesel/Fuel required for default authorized operations in respect of Multi Product SEZ at Taluka Shirur and Khed, District Pune, Maharashtra by M/s. Khed Economic Infrastructure Private Limited

Request of M/s Khed for duty free procurement of Diesel/Fuel required for default authorized operations in the above Multi Product SEZ was considered by the Approval Committee in its meeting held on 09.03.2011. The committee was of the opinion that considering the creation of roads as manufacture and permitting Diesel for the same would not fall under the definition of manufacture. The definition of consumables relates to items used in the manufacturing process and since creating roads cannot be considered as manufacture, after detailed deliberation, the Committee decided to refer the request of the developer for duty free procurement of Diesel/Fuel to BoA for consideration. Accordingly, the proposal was placed before BoA in the meeting held on 31st May, 2011 and was deferred as DoR requested for some additional time to examine the proposal.

The Proposal is once again is placed before the BOA for consideration.

Item No. 48.20: Requests for Industrial Licence for setting up units in SEZ for supply to Defence Forces

(i) Application of M/s. L&T Shipbuilding Limited, a unit in the sector specific SEZ for Heavy Engineering at Kattuppalli village, Tiruvallur District, Tamil Nadu for grant of Industrial Licence to build, repair, refit and convert all types of defence and commercial ships vessels and parts thereof

M/s. L&T shipbuilding Limited has been granted LoP for setting up of a unit in the above SEZ for undertaking the following authorized operations:-

“to build, repair, refit and convert all types of defence and commercial ships vessels and parts thereof”

DC, MEPZ has intimated that the unit has requested for approval for grant of industrial licence for the items indicated below:-

S. No.	Equipment Description	Quantity/per annum
1.	Defence/Strategic Vessels	36 Nos.
2.	Special Purpose vessels	20 Nos
3.	Commercial ships/VLCC	8 Nos
4.	Repair/Refit of defence vessels and manufacture of parts/aggregates	100 Nos
5.	Repair/ Refit of Commercial ships and manufacture of parts/aggregates	100 Nos

Since manufacture of defence equipment requires industrial licence and BoA is the licensing authority in such cases, as per section 9(2)(e) of SEZ Act which provides that powers of the BoA includes granting of license to an Industrial undertaking to be set up in SEZ “ . The Board shall exercise the power and function of granting, notwithstanding anything contained in the Industries (Development & Regulation) Act, 1951, license to an

industrial undertaking referred to in Clause (d) of Section 3 of I (D&R) Act, if such undertaking is established, as a whole or part thereof, or proposed to be established, in a Special Economic Zone. DC, MEPZ has, accordingly, requested for placing the matter before the BoA.

The request is placed before BoA for consideration.

(ii) Application of M/s. Indian Rotocraft Limited grant of Industrial Licence for manufacture of Helicopter

Department of Industrial Policy and Promotion (DIPP) has informed that M/s. Indian Rotocraft Limited has proposed to set up a defence production unit in the GMR Aerospace Park SEZ at Samshabad, Hyderabad, Andhra Pradesh for manufacture of Helicopter. DIPP has stated that in the meeting held on 30.11.2010 to discuss setting up of defence units in SEZ, it was decided that in terms of Section 9 of the SEZ Act 2005, the Board of Approval in the licensing Authority for setting up of “Defence Units” in SEZs and once a proposal has been approved by the Board of Approvals, the Licence will be issued by DIPP on receipt of the minutes of Board of Approvals. DIPP has, therefore, requested to place the proposal of M/s. Indian Rotocraft Limited, for setting up of a SEZ unit for manufacture of Helicopter, before the BoA as per Section 9 of the SEZ Act.

The matter is accordingly placed before the BoA for consideration.

(iii) Application of M/s. PMI Engineering Exports Pvt. Ltd. a unit in MEPZ for grant of Industrial Licence for manufacture of High Precision Components for Aero space and other industries

Department of Industrial Policy and Promotion (DIPP) have informed that M/s. PMI Engineering Exports Pvt. Ltd. has proposed to set up a defence production unit in MEPZ for manufacture of High Precision Components for Aero space and other industries. DIPP has stated that in the meeting held on 30.11.2010 to discuss setting up of defence units in SEZ, it was decided that in terms of Section 9 of the SEZ Act 2005, the Board of Approval in the licensing Authority for setting up of “Defence Units” in SEZs and once a proposal has been approved by the Board of Approvals, the Licence will be issued by DIPP on receipt of the minutes of Board of Approvals. DIPP has, therefore, requested to place the proposal of M/s. PMI Engineering Exports Pvt. Ltd., for setting up of a SEZ unit for manufacture of High Precision Components for Aero space and other industries, before the BoA as per Section 9 of the SEZ Act.

The matter is accordingly placed before the BoA for consideration.

Item No.48.21: Request of M/s. SE Forge Limited a unit in M/s. Synefra Engineering SEZ at Vadodara, Gujarat for undertaking Job-work processing for M/s. Mishra Dhatu Nigam Ltd. (MIDHANI) a unit in DTA

M/s. SE Forge Ltd., was granted approval for setting up of a unit in the above SEZ for manufacture and export of Forging Rings. The unit has stated that they have received an order from a DTA unit namely MIDHANI, a Ministry of Defence, Government of India Undertaking and they want to do job work for this DTA unit in SEZ and subsequent

clearance to DTA. The unit has, therefore, sought approval for undertaking job work for the DTA unit.

DC KASEZ has intimated that by virtue of Rules 43 of the SEZ Rules, 2006 a SEZ unit can undertake the Sub-contracting (Job-Work) on behalf of a DTA unit/exporter but the said goods shall have to be exported directly from the SEZ. There is no provision in the SEZ Rules that a SEZ unit can undertake a job work on Behalf of a DTA unit in the SEZ and subsequently return it to the DTA unit after processing, even on payment of duty on such portion of value added on account of processing done in the SEZ.

DC has further stated that however, there is a Customs Notification No. 39/96-Customs, Dated 23/07/96, wherein exemption is available to specified goods exported from India and re-imported after being subjected to specified processes (namely coating, electroplating, or polishing or combination of one or more of such processes). Thus there is precedence available for outsourcing of specified process for which the required technology is not available in the country.

M/s. SE Forge has got state of the Art technology for forging & machining, based on German Plant & Equipment, for the conversion of the Steel Billets to the forged & machined rings, which require very advanced technology, with capability for precision machining of large profiled rings. This technology is currently not available in the country (for the required size & capacity), except with SE Forge.

DC has also informed that the unit has execute the orders received from MIDHANI within the stipulated time frame as per their contract, and has requested grant of special permission to the unit for carrying of job work, in national interest, by relaxing Rules 43 & 47 of SEZ Rules, 2006.

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

Item No. 48.22: Appeals before BoA

(i) Appeal of M/s. Futuristic Metal Trading Private Limited against rejection of its request for setting up a unit, in KASEZ for manufacturing activity i.e. Segregation of Imported Scrap

M/s. Futuristic Metal Trading Private Limited had applied for setting up a unit in the KASEZ for manufacturing activity i.e. Segregation of Imported Scrap. The application was considered by the UAC and was rejected. The decision was conveyed to the appellant vide letter dated 16.06.2011. Aggrieved by the decision of the Approval Committee, M/s. Futuristics Metal Trading Private Limited 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 – 12**.

The appeal is placed before the BoA for consideration.

(ii) Appeal of M/s. Globus Metal Trading Private Limited against rejection of its request for setting up a unit, in KASEZ for manufacturing activity i.e. Segregation of Imported Scrap

M/s. Globus Metal Trading Private Limited had applied for setting up a unit in the KASEZ for manufacturing activity i.e. Segregation of Imported Scrap. The application was considered by the UAC and was rejected. The decision was conveyed to the appellant vide letter dated 16.06.2011. Aggrieved by the decision of the Approval Committee, M/s. Globus Metal Trading Private Limited 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 – 13.**

The appeal is placed before the BoA for consideration.

(iii) Appeal of M/s. Sanmina – SCI India Private Limited, a unit in SIPCOT SEZ against the decision of UAC taken in its meeting held on 28.06.2011

M/s. Sanmina – SCI India Private Limited was granted LoA on 05.03.2009 for setting up of a unit in the above mentioned SEZ to undertake “manufacture of electric hardware products, including parts, components and accessories”. The unit had requested for amendment in the LoA to include activities of Repair/Re-engineering of hardware products under scenarios specified below:

- Scenario 1: Repair of electronic hardware products manufactured by Appellant and sold to customers located in India both during warranty and post warranty periods;
- Scenario 2: Repair of electronic Hardware products manufactured by SCI India Private Limited and sold to customers outside India both during warranty and post warranty periods;
- Scenario 3: Repair of electronic hardware products manufactured by Sanmina Group and sold to customers within and outside India both during warranty and post warranty periods;
- Scenario 4: Repair of electronic hardware products manufactured by third parties in India and overseas sold to customers within and outside India both during warranty and post warranty periods.

The request was considered by UAC on 28th June, 2011 and the following was approved:-

- Repair of original products manufactured by the Appellant at its SEZ unit;
- Repair of products manufactured by Overseas Group Company of the Appellant;
- Repair of products manufactured by overseas third party manufacturers.

The unit had stated that the UAC has not specifically approved the request of Appellant for carrying out the following activities:

- Repair of electronic hardware products manufactured by Appellant and received from its own customers for repairs after which goods will be sent back to the DTA (which are not re-exported outside the country after repairs);

- Repair of electronic hardware products manufactured by the Parent/Group Company of Appellant and sent to Appellant for repairs after which goods will be sent back to the DTA (which are not re-exported outside the country after repairs);
- Repair of electronic hardware products manufactured by overseas third party manufacturers and sent to Appellant for repairs after which goods will be sent back to the DTA (which are not re-exported outside the country after repairs);
- Repair of electronic hardware products manufactured by Indian third party manufacturers and sent to Appellant for repairs after which goods will be sent back to the DTA (which are not re-exported outside the country after repairs);

Therefore, aggrieved by the above, the unit has preferred an appeal before BoA. Brief facts of the case alongwith the ground of appeal submitted by the unit is at **Annexure - 14**.

The appeal is placed before the BoA for consideration.

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

M/s. McIlloyd Polymers Private Limited was issued LoP on 15.10.1997 for manufacture of all types of plastic bags, household items and plastic granules/shreddings, grindings, pieces, crushings, sheets, extruded and moulded articles etc. The unit had applied for extension of LoP beyond 31.10.2005. The LoP was extended by the Surat SEZ for a period of five years i.e. up to 31.10.2010 vide LoP dated 30.05.2005. However, the extension of LoP was cancelled by Surat SEZ on 22.6.2005 stating that the project involves import of plastic waste and scrap and such project are considered by the Ministry for granting further permission. However, the request was not forward for consideration of the BoA. The unit has stated that their Bill of Entry No. SSEZ/DTA/238/9/07-08 dated 14.08.2007 and the goods were cleared which is evidence of the fact that the LoP was valid. It has also been stated that their Advance Bills of Entry have not been approved till date as a result of which they could not get the goods cleared and the consignment is incurring heavy demurrages. The unit has stated that they have submitted number of representations in the past to the Surat SEZ and KASEZ but no positive result came forward. The unit has, therefore, requested for the following in the appeal:-

- (i) Ratification extension of LoP till 31.10.2010
- (ii) Further extension of LoP for another period of 5 years till 30.05.2015
- (iii) Approval of Advance Bills of Entry.

The appeal was considered in the BoA meeting held on 13th July, 2010 and was deferred till the finalization of policy for plastic processing units. The unit has requested for deciding their appeal at the earliest stating that it is incurring heavy demurrages and losses as it is not unable to clear the goods.

The appeal of the unit is place before the BoA for consideration
