

**Agenda for the 45<sup>th</sup> meeting of the Board of Approval to be held on 25<sup>th</sup> March 2011  
at 1200 Hrs. in the Room No. 47, Udyog Bhawan**

**Item No. 45.1: Proposals for setting up of SEZs**

<b>S. No</b>	<b>Name of the Developer</b>	<b>Location</b>	<b>Sector</b>	<b>Area (in ha)</b>	<b>Land Possession</b>	<b>SGR*</b>	<b>Status of application</b>
i.	M/s. Artha Infratech Private Limited	Plot No. 21, Sector Techzone-IV, Greater Noida, District Gautam Budh Nagar, Uttar Pradesh	Electronic Hardware & Software including IT/ITES	10	Yes	Yes	New
ii	M/s. B. Raheja Builders Private Limited	Gigaplex, Plot No. 5, MIDC Knowledge Park, Airoli, Navi Mumbai, Maharashtra	IT/ITES	14.15	Yes	No	New
iii	M/s. Sterling Port Limited	Village Dahej, Taluka Vagra, District Bharuch, Gujarat	Port based SEZ	144.07	Partial (115.95 Ha.)	No	New
iv	M/s. Cybercity Builders & Developers Private Limited	Balanagar Mandal, Kukatpally Municipality, Greater Hyderabad Municipal Corporation, Andhra Pradesh	IT/ITES	10.12	Yes	No	New

*\*State Government Recommendation*

**Item No.45.2: Request of M/s. N.G. Realty Private Limited for carving out a sector specific SEZ for Gems & Jewellery having an area of 10.32.58 hectares, from the existing sector specific SEZ for Engineering, at village Rajoda, District Ahmedabad, Gujarat, notified over an area of 217.14.09 hectares**

The developer was granted formal approval for setting up the sector specific SEZ for Engineering, over an area of 230 hectares, vide LoA dated 23<sup>rd</sup> May 2007. The SEZ stands notified over an area of 217.14.09 hectares. The developer has now proposed to carve out a sector specific SEZ for Gems & Jewellery having an area of 10.32.58 hectares from the existing SEZ, thereby splitting the existing SEZ in to two SEZs as under:-

<b>S. No.</b>	<b>Particulars</b>	<b>Total Area</b>
1	Area earmarked for existing Engineering SEZ	189.74.91 Hectares
2.	Area proposed for sector specific SEZ for Gems & Jewellery	10.32.58 Hectares
3.	Common non-processing area earmarked for both the SEZs	17.06.60 Hectares

DC, KASEZ, has stated that the developer intends to exploit the potentials of both Gems & Jewellery and Diamond Processing industry in Gujarat, which reportedly account for 70% to 80% of total exports from Indian in this sector. In Gujarat diamond and jewellery industry hubs are located in cities like Ahmedabad, Bhavnagar, Palanpur, Navsari, Surat, and

Valsad. Thus, the developer intend to establish new centre for Gems & Jewellery with focus on studded jewellery to expand the processing base for higher value addition and have a strong presence of Gujarat Gems & Jewellery industry in the international market.

DC, KASEZ has also intimated that on site inspection it was found that the identified area is on the right side from the Highway entry. On left side of the main entry road is existing non-processing area of the Engineering SEZ and proposed Gems & Jewellery SEZ. The proposed area is contiguous and vacant. There is no super structure on the identified area except for the boundary wall, which the developer had constructed to separate the Engineering SEZ. The developer has already put up a separate gate for Engineering SEZ with a separate road and already earmarked the gate for Gems & Jewellery SEZ. Further, both SEZs will meet the minimum land requirement. DC has, therefore, recommended the proposal.

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

**Item No.45.3: Requests for co-developers**

**(i) Request of M/s. Mytec Software (Pvt.) Limited for co-developer in the sector specific SEZ for IT/ITES at Madhurwada, Andhra Pradesh, being developed by Andhra Pradesh Industrial Infrastructure Corporation (APIIC)**

Sector specific SEZ for IT/ITES at Madhurwada, Andhra Pradesh being developed by Andhra Pradesh Industrial Infrastructure Corporation was notified on 11<sup>th</sup> April 2007 over an area of 16 hectares. M/s. Mytec Software (Pvt.) Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for development of infrastructure like roads, buildings, power systems, boundary walls, water supply over an area of 1.30 acres. Co-developer agreement dated 29<sup>th</sup> November 2010 entered into with the developer has also been provided. The land has been leased to the co-developer for a period of 33 years. Lease Agreement has also been provided. The request of the co-developer is submitted for consideration of BoA.

**(ii) Request of M/s. Marg Digital Infrastructure Private Limited for co-developer in the sector specific SEZ for Multi Services at Cheyyur Taluk, Kancheepuram District, Tamil Nadu, being developed by M/s. New Chennai Township Private Limited**

Sector specific SEZ for Multi Services at Cheyyur Taluk, Kancheepuram District, Tamil Nadu being developed by M/s. New Chennai Township Private Limited was notified on 23<sup>rd</sup> November 2007 over an area of 121.94 hectares. M/s. Marg Digital Infrastructure Private Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ to develop, operate and maintain 3.114 hectares in the processing area of the SEZ (to convert the bare shell building into warm shell building). Co-developer agreement dated 18<sup>th</sup> February 2011 entered into with the developer has also been provided. DC, NSEZ has recommended the request of the co-developer. The request of the co-developer is submitted for consideration of BoA.

**(iii) Request of M/s. Industrial Training Institute, Mundra (ITI Mundra) for co-developer in the multi product SEZ at Kutch, Gujarat, being developed by M/s. Mundra Port and Special Economic Zone Limited (MPSEZL)**

Multi Product SEZ at Kutch, Gujarat by M/s. Mundra Port and Special Economic Zone Limited stands notified over an area of 6472.8684 hectares. M/s. Industrial Training Institute, Mundra, Labour and Employment Department, Government of Gujarat has submitted a proposal for becoming a co-developer in the aforesaid SEZ to set up an industrial training institute over an area of 8100 sqm. in the non-processing area of the SEZ. Co-developer agreement dated 1<sup>st</sup> January 2011 entered into with the developer has also been provided. The request of the co-developer is submitted for consideration of BoA.

**(iv) Request of M/s. Thousand Island Hotels and Resorts Private Limited for becoming a co-developer in the Multi Product SEZ at Kutch, Gujarat, being developed by M/s. Mundra Port and Special Economic Zone Limited (MPSEZL)**

Multi Product SEZ at Kutch, Gujarat by M/s. Mundra Port and Special Economic Zone Limited stands notified over an area of 6472.8684 hectares. M/s. Thousand Island Hotels and Resorts Private Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ to construct, operate and maintain the following infrastructure facilities:-

- (a) A multi-faceted Hospitality Zone (approx. built up area of 8400 sqm.) providing approx. 100 star class hotel rooms, approx. 50 service apartments, business support centre with meetings lounges & secretarial services and pleasure arenas.
- (b) A hi-fi Entertainment Zone (approx. built up area of 2600 sqm) which includes 3 screen multiplex with adjoining F&B plaza and leisure spots.

Co-developer agreement dated 18<sup>th</sup> September 2010 entered into with the developer and its addendum dated 15<sup>th</sup> December 2010 has also been provided. The DC, KASEZ has stated that keeping in view the lack of hotel & recreational facilities in Mundra Township, including nearby areas, the future requirements for the proposed activities/developments in MPSEZL area severely needed. DC has, therefore, recommended the proposal. The request of the co-developer is submitted for consideration of BoA

**(v) Request of M/s. Hirise Hospitality Private Limited for becoming a co-developer in the Multi Product SEZ at Kutch, Gujarat, being developed by M/s. Mundra Port and Special Economic Zone Limited (MPSEZL)**

Multi Product SEZ at Kutch, Gujarat by M/s. Mundra Port and Special Economic Zone Limited stands notified over an area of 6472.8684 hectares. M/s. Hirise Hospitality Private Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for setting up a Hotel, Service Apartments, Convention centre, Family entertainment facilities like gymnasium, Billards/Snooker, Table tennis, swimming pool, a three hole mini golf course. Co-developer agreement dated 26<sup>th</sup> February 2011 entered into with the developer has also been provided. The request of the co-developer is submitted for consideration of BoA

**(vi) Request of M/s. Indian Oil Corporation Ltd. for co-developer in the port based SEZ at Puthuvypeen, Kerala developed by Cochin Port Trust**

Port based SEZ at Puthuvypeen, Ernakulam District, Kerala, developed by Cochin Port Trust was notified on 2.11.2006 over an area of 285.8413 hectares. M/s. Indian Oil

Corporation Ltd. has submitted a proposal for co-developer in the above SEZ for developing storage facilities for Liquefied Petroleum Gas (LPG), laying interconnecting pipeline and setting up an inland LPG Container (Tanker) Station. The proposal was considered in the BoA meeting held on 15<sup>th</sup> December 2009 and was deferred as Co-developer agreement was not entered into between developer and the co-developer. The co-developer has now provided co-developer agreement dated 21<sup>st</sup> January 2011 (**Annexure -1**). DC, VSEZ, has recommended the proposal. The request is, therefore, once again placed before the BoA for consideration.

**(vii) 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 above mentioned SEZ was notified on 11<sup>th</sup> August 2006 over an area of 10 hectares. M/s. Hyderabad Infratech Private Limited has submitted a proposal 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 SEZ. Co-developer agreement dated 5<sup>th</sup> March, 2011 between the developer and co-developer has been provided. DC, VSEZ, has recommended the proposal. The request of the co-developer is submitted for consideration of BoA.

**(viii) 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 above mentioned SEZ stands notified over an area of 1704.37.53 hectares. M/s. Pandit Deendayal Petroleum University has submitted a proposal for becoming a co-developer for an area of 5 acres, to develop facilities in Dahej SEZ for Human Resource Development, covering Skill Development Centre, Industrial Oriented Research Centre and other in energy sector including Petroleum and petro-chemical industry. Co-developer agreement dated 15<sup>th</sup> February, 2011 between the developer and co-developer has been provided. DC, Dahej SEZ, has recommended the proposal. The request of the co-developer is submitted for consideration of BoA.

**(ix) Request of M/s. Samuha Engineering Industries Limited for co-developer in sector specific SEZ for Aerospace and precision engineering at Aditya Nagar, Adibatla village, Ibrahimpatnam Mandal, Ranga Reddy District, Andhra Pradesh, being developed by Andhra Pradesh Industrial Infrastructure Corporation Limited (APIIC)**

The above mentioned SEZ was notified on 24<sup>th</sup> December 2008 over an area of 101.17 hectares. M/s. Samuha Engineering Industries Limited has submitted a proposal for becoming a co-developer for development of infrastructure like power, water, sewerage, greenery and other common facilities etc., over an area of 40.676 hectares in the above mentioned SEZ. Co-developer agreement dated 5<sup>th</sup> February 2011 between the developer and co-developer has been provided. The land has been leased to the co-developer for a period of 66 years (initially 33 years with an extension of another 33 years). Lease Agreement has also been provided. DC, VSEZ, has recommended the proposal. The request of the co-developer is submitted for consideration of BoA.

**Item No. 45.4: Request of M/s. Phoenix Techno City Private Limited a 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, for withdrawal of co-developer status**

The above mentioned SEZ was notified on 11<sup>th</sup> August 2006 over an area of 10 hectares. M/s. Phoenix Techno City Private Limited, a subsidiary of the developer, was granted approval as a co-developer, in the BoA meeting held on 13<sup>th</sup> July 2010, for development of IT infrastructure together with relevant amenities and facilities in the leased out space of 427651 sq ft. in the above SEZ as per Co-developer agreement dated 15<sup>th</sup> June, 2010. DC, VSEZ, has intimated that the co-developer has requested for cancellation of the co-developer approval stating that due to some internal obligations, it is not in a position to take up assignment/work as agreed with the developer. Further, the developer has also recommended cancellation of co-developer status granted to M/s. Phoenix Techno City Private Limited. DC, VSEZ, has also recommended the proposal, subject to the condition that the co-developer refunds all the duty/tax concessions availed if any.

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

**Item No. 45.5: Request of M/s. TAPP Semiconductor India Private Limited, a co-developer in the sector specific SEZ for Electronics/telecom hardware at SIPCOT Industrial Area, Sriperumbudur, Tamil Nadu, for setting up of FTWZ within the area to be developed as a co-developer**

Sector specific SEZ for Electronics/telecom hardware at SIPCOT Industrial Area, Sriperumbudur, Tamil Nadu being developed by State Industries Promotion Corporation of Tamil Nadu (SIPCOT) was notified on 22<sup>nd</sup> December 2006 on an area of 189.771 hectares. Subsequently, an additional area of 41.369 hectares was notified on 31<sup>st</sup> July 2007, thereby, making the total area as 231.14 hectares. M/s. TAPP Semiconductor India Private Limited has been approved as a co-developer for developing infrastructure facilities over an area of 21.45 hectares. Out of the total area 13.35 hectares has been demarcated as processing area and 8.09 hectares has been demarcated as non-processing area. The co-developer stated that it desires to develop the SEZ into a world class facility commensurate to the needs of the clients it wishes to serve and as a natural progression of this vision, TAPP proposes to develop end-to-end facilities within the said SEZ that improves efficiency of the manufacturers and traders located within the SEZ. The co-developer has, therefore, proposed to develop a FTWZ having an area of 2.67 hectares with the processing area already approved and demarcated in the SEZ. DC, MEPZ, has intimated that the developer has not come forward with a proposal to set up a FTWZ in the SEZ so far. Further, as per third proviso to Rule 5 (c) of SEZ Rules 2006, FTWZ may be permitted in a sector specific SEZ subject to the condition that the maximum area shall not exceed 20% of the processing area. DC, MEPZ has, therefore, recommended the request of the co-developer.

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

**Item No. 45.6: Request of M/s. Torrent Energy Limited a co-developer in the multi product SEZ at District Bharuch, Gujarat being developed by M/s. Dahej Special Economic Zone Limited, for increasing the capacity of the power plant from 1500 MW to 1600 MW**

The above mentioned SEZ stands notified over an area of 1704.37.53 hectares. M/s. Torrent Energy Limited (TEL), has been granted approval for co-developer in the aforesaid SEZ, for power generation up to 1500 MW and necessary transmission and distribution network, in the BoA meeting held on 22<sup>nd</sup> September 2008. The co-developer has stated that based on the configuration of the plant and gas turbine selected and looking to the power demand in SEZ and considering rapid industrial growth in SEZ area including PCPIR and DMIC, the company now proposes to install total generation capacity of 1600 MW (4x400 MW CCPP units). TEL has decided to install 3 units of 400 MW totalling to 1200 MW in the first phase and add one more unit of 400 MW in the second phase. The unit has, therefore requested for increasing the capacity of the power plant from 1500 MW to 1600 MW.

TEL has also stated that after getting co-developer approval, it had acquired necessary land in processing area and commenced the implementation of the project in processing area on the basis of the then prevailing regulations. However, later Department of Commerce issued power guidelines which provides for setting up of a power plant in the non-processing area of the SEZ. The co-developer has stated that after issuance of guidelines in February 2009, the plant in the processing area is being treated as an SEZ unit and not the co-developer. TEL has, therefore, also requested to grant the status of co-developer to the generation plant the company even though it is in processing area.

DC, Dahej SEZ has recommended the requests of the co-developer. The report of the DC along with the request of the co-developer is at **Annexure -2**.

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

**Item No. 45.7: Request of M/s. Apollo Hospitals Enterprise Limited for authorized operations as co-developer in the manufacture and assembling of electronics, telecommunication and IT hardware and development of software, R&D services and other services in telecommunication SEZ at Sriperumbudur, Tamil Nadu developed by M/s. Nokia India Private Limited**

Sector specific SEZ for manufacture and assembling of electronics, telecommunication and IT hardware and development of software, R&D services and other services in telecommunication at Kancheepuram, Tamil Nadu by M/s. Nokia India Private Limited was notified on 17<sup>th</sup> August 2005 over an area of 85.375 Ha. The said SEZ was re-notified on 19<sup>th</sup> July 2006. M/s. Apollo Hospitals Enterprise Limited has been approved as a co-developer in the aforesaid SEZ vide, LoA dated 21<sup>st</sup> August, 2009. In the 37<sup>th</sup> BoA meeting held on 15<sup>th</sup> December 2009 the co-developer was granted approval for setting up of 60 bedded hospital (having an area of 4,010 sqm.) as an authorized operation in the **non-processing area** of the SEZ, subject to the following:

- (a) The hospital will provide coverage only to the zone, adjoining SEZ zones and trauma cases arising out of accidents on the highway;
  - (b) No outside patients will be entertained other than the category specified above;
- and

- (c) Nokia SEZ, the developer must be informed of the decision of the BoA in this regard so that the spirit of the approval is maintained

The developer has requested for waiver of the above conditions stating that it interferes with their professional medical ethics, is not commercially viable and can cause serious operational ineffectiveness leading to loss of lives. The request was last considered in the BoA meeting held on 18<sup>th</sup> November 2010 and as per directions of the BoA, the proposal is being examined on file. This Department had requested the co-developer to intimate the quantum of the duty concessions likely to be availed for setting up the hospital. The developer has informed that the concessions that are expected shall be in the range of about Rs. 100-125 lakhs. These would primarily be towards construction and import of medical equipment. The co-developer has further stated that it is able to claim concessional import benefits even under the prevailing provisions of the EXIM Policy.

The proposal is once again before the BoA for consideration.

**Item No.45.8: Requests for transfer/change of equity**

**(i) Request of M/s. Aachvis Softech Private Limited, developer of the sector specific SEZ IT/ITES at Noida, Uttar Pradesh, for changing the shareholding of the company**

**(ii) Request of M/s. Aachvis IT SEZ Infra Private Limited a co-developer in the sector specific SEZ IT/ITES at Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited, for changing the shareholding of the company**

**(iii) Request of M/s. Standard IT Web Solutions Private Limited a co-developer in the sector specific SEZ IT/ITES at Noida, Uttar Pradesh being developed by M/s. Aachvis Softech Private Limited, for changing the shareholding of the company**

Under examination is the proposal for divestment of equity in respect of a developer and two co-developers in respect of M/s Aachvis Softech Pvt. Limited, an operational sector specific IT/ITES SEZ at Noida. The three proposals involve transfer of equity from the respective present share holders to M/s TRIF represented by their three arms. When this proposal was considered by BOA in its meeting held on 14<sup>th</sup> January 2011, the gist of the discussion is as given below:

*The representative of D/o Revenue said that the current proposal is for sale of SEZs which may not be acceptable. The Board noted that already there are guidelines for transfer of approvals laid down by Board and since such proposals are likely to come up in future as a part of mergers and acquisitions, it is preferable to take a considered view. Accordingly, after deliberations, the Board decided that the matter may be examined by the Department of Commerce on the file.*

Following this decision, the matter was examined by DoC and the following emerged:

The SEZ Act defines developer as a person who or a State Government which, has been granted by the Central Government a Letter of Approval under Sub-Section 10 of Section 3 and includes an authority under Co-developer. Further, "Person" has been defined to include an individual, whether resident in India or outside India, a Hindu Undivided Family, Co-operative Society, a Company whether incorporated in India or outside India, a Firm, Proprietary Concern, or an Association of Persons or Body of Individuals, whether

incorporated or not Local Authority and any Agency, Office or Branch owned or controlled by such individual, Hindu Undivided Family, Cooperative, Association, Body, Authority or Company. Further, the Act also defines that words and expressions used and not defined in this Act but defined in the Central Excise Act, 1944, the Industries (Development and Regulation) Act, 1951, the Income Tax Act, 1961, the Customs Act, 1962 and the Foreign Trade(Development and Regulation Act), 1992 shall have the meanings respectively assigned to them in those Acts.

In terms of Section 3(1) an SEZ may be established, inter-alia, by any person for manufacture of goods or rendering of services or both. The Board of Approvals communicates its approval or rejection to the Central Government which, in turn, issues a Letter of Approval to the Developer. Those persons who intend providing any infrastructure facilities or undertake Authorised Operations enter into agreement(s) with the Developer and approach the Board of Approvals for getting its approval for them being recognised as Co-developers. After getting the Letter of Approval, the Developer, after meeting the requirements in respect of the specifically identified area in the State as Special Economic Zone, approaches the Central Government for Notification and Central Government, after satisfying itself, notifies the SEZ. The SEZ, so notified, is exempt from payment of taxes, duties or cess under all Enactments specified in the First Schedule to the SEZ Act. Further, the Special Fiscal Provisions for SEZs list out the specific exemptions, draw backs and concessions to the developers and entrepreneurs including the Excise and Customs Act as also Income Tax Act. Under Section 49, Central Government is empowered to issue Orders that any other Central Act or any Rules or Regulations shall not apply to an SEZ or apply to an SEZ. Under this Provision, there have been only two Notifications issued, so far. As, otherwise, all other Provisions of Central Government are applicable to SEZs including all the relevant Legislation regarding ownership of firms, mergers and acquisitions, takeover of firms, all the other Income Tax Regulations except those specifically exempted. In fact, read clearly the SEZ Act is for the purpose of setting-up of an SEZ by a person and once the approval has been given and SEZ notified, apart from the exemptions available to it by virtue of the SEZ becomes a legal person with all the attendant liabilities under the various Enactments. It can, therefore, be seen that the SEZ Act, more or less, restricted itself to the development of SEZs with clear exemptions provided under the various Acts and left rest of the legal enactments to continue to operate in respect of the companies/firms/associations etc. which manage the SEZs.

In terms of SEZ Rule 11(9), sale of land by the developer in the SEZ has been restricted and land can only be leased out. Apart from this, there are no explicit provisions in the Act/Rules in respect of change of ownership of developer companies. Keeping the above in view, the Board, in its meeting held on 15.1.2009, issued guidelines for “transfer of ‘in-principle’ or ‘formal’ approval issued to a SEZ Developer to its subsidiary or SPV”. A copy of the relevant guidelines is placed at **Annexure - 3**. These guidelines were issued to ensure that only serious developers who intend setting up SEZs were encouraged and not to permit transfers (sale) of in principle or formal approvals before the SEZs actually get notified and become operational.

In the instant case, it is not the transfer of in principle or formal approval as the SEZ is already notified and is an operational SEZ and has already come into existence with all the attendant liabilities as mentioned above. Accordingly, the SEZ developer will have to comply with all the requisite conditions as prescribed for a notified SEZ. The above mentioned guidelines, therefore, do not apply to the instant case. The point made by the representative of Department of Income Tax in the BOA meeting regarding restriction on sale



of SEZs was apparently, therefore, in the context of the above mentioned guidelines which laid down the principles for transfer of “in principle” and “formal approvals”.

Department of Commerce has also been receiving requests from some of the Zones regarding this issue. On the balance, keeping the SEZ Act and Rules in view, it is more than preferable that the normal business transactions in respect of the holding firms of notified and operational SEZs, including transfer of equity, mergers and acquisitions, listing and trading of equity are better left to the concerned agencies created for this purpose. The SEZ Act and Rules have also been so designed for such an arrangement. It is preferable that the concerned firm is advised to approach the relevant agencies for disclosing the entire nature of divestment of equity and seek their approvals. The concerned agencies including Department of Income Tax, d/o Economic Affairs etc. will also be informed in such cases to enable them to exercise due diligence, if any, and to take appropriate action. Such a step will also ensure that the concerned agencies are fully in the picture to address their concerns.

Summing up, SEZs are guided by SEZ Act which provides for specific exemptions under various Acts .Apart from these exemptions, SEZs are subject to all other Acts that govern the business firms in the country. Mergers, acquisitions, divestments etc. in SEZ firms, which are normal business transactions, are not exempt from these Acts and the these firms have to obtain the requisite approvals from the concerned authorities. The administrative instructions issued by BOA in August 2009 are in respect of transfer of in-principle or formal approval issued to a SEZ developer to its subsidiary or SPV and not in respect of notified / operational SEZs as these are legal entities which have already come into existence and operating the SEZs. Accordingly, in respect of the instant case and other such cases (there are already two references from NSEZ and TIDCO with the Department of Commerce) which are more than likely to arise in future as the concerned SEZ firms will be transacting their normal businesses and will be regulated in terms of various Acts such as Income Tax Act, Companies Act, Banking Regulations Act, FEMA etc. the concerned developer firms should seek approval from the concerned agencies and not really from BOA/DoC. However, these firms will be required to inform DoC about the changes in the equity holding so that BOA can be kept apprised of such divestment/listing etc. of equity in respect of notified and operational SEZs. Separately, DoC will also issue general instructions to all the DCs/Developers in this regard so that they also report of such divestments etc. in respect of SEZs under their charge.

These guidelines for consideration and approval of BoA.

#### **Item No. 45.9: Requests for Authorized Operations**

**(i) Request of M/s. Arshiya Northern FTWZ Limited for authorized operations in FTWZ at village Ibrahimipur, Junaidpur, urf Maujpur, Tehsil Khurja, District Bulandshahar, Uttar Pradesh**

The above mentioned FTWZ was notified on 16<sup>th</sup> November 2010 over an area of 51.4394 hectares. The developer had requested for the following authorized operations in the **processing/non-processing area:-**

### Processing Area:-

S. No.	Authorised operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
(1)	(2)	(3)	(4)	(5)
1.	Open Storage Yards			
	(a) Container Yard	1	65000	65000
	(b) Over Dimensional cargo yard	1	14000	14000
	(c) Empty Container Yard	1	2000	2000
	(d) Maintenance & Repairs Yard with Shed	1	5000	5000
	(e) Scrap Yard	1	5500	5500
2.	Destuffing & Examination Yard	1	3000	3000
3.	Transport System			
	(a) Bus Shelters	6	10	60
	(b) Helipad	1	6500	6500
	(c) System for managing traffic			
	(d) Material Vehicle in/out Ticketing Systems	1	NA	NA
	(e) Vehicle Decision system and traffic Management System Software & Hardware	1	NA	NA
4.	Public Conveniences			
	(a) Food Services such as Cafeteria, food courts, restaurants, coffee shops, Canteens, catering facilities and kitchens	1	3000	3000
	(b) Toilets	4	60	240
	(c) Restrooms	1	250	250
	(d) Basic Amenities Store (Groceries, Stationary etc)	1	150	150
5.	Warehouse Management System			
	(a) Goods/Container Tracking/ Tracking system	1	NA	NA
	(b) Warehouse Management Software	1	NA	NA
6.	Product Display Centre	1	5000	5000

### Non-processing area

S. No.	Authorised operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
(1)	(2)	(3)	(4)	(5)

1.	Public Conveniences			
	(a) Toilet	1	60	60
	(b) Bus Terminals	1	500	500
	(c) Work Shop	1	500	500
2.	Administrative Building (to include)	1	5000	5000
	(a) FTWZ Management Centre			
	(b) Courier Office			
	(c) Bank/ATMs			
	(d) Internet Cafe			
	(e) Telephone booth			
	(f) Post/Telegraph Office			
	(g) Business Centre			
	(h) Office for clearing agents, insurance companies shipping companies etc.			
	(i) Stationary & Zerox facility			
	(j) Pantry canteen & dining area			
	(k) Data centre			
	(l) Poly clinic & Pharmacy			
	(m) Guest Room			
3.	Product Display Centre	1	1000	1000
4.	Essential Maintenance Staff Housing and Dormitories			
	(a) Staff Housing	4 units	600 (each unit having 12 tenements with average area of 50 sqm.)	2400
	(b) Dormitories	1 No	1500 (150 beds each having an area of 10 sqm.)	1500

The recommendation of the DC NSEZ in respect of the above authorized operation has not yet been received.

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

**(ii) Request of M/s. L&T Shipbuilding Limited for authorized operations in sector specific SEZ for Heavy Engineering at Kattuppalli village, Tiruvallur District, Tamil Nadu**

The above mentioned SEZ stands notified over an area of 607.89 hectares. The developer has requested for the following authorized operations in the **processing area** for developing the port:-

S. No.	Authorised operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
(1)	(2)	(3)	(4)	(5)
1.	Container Berths along with	3	24508.33	73525

	Shore with Fenders, Bollards Crane Rails			
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	25000	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	1021.50	7150
10.	Other utilities – Substation of Fuel, Quay, Receiving Yard and Workshop Parking Bay, Weighbridge, Parking Area Water Tank & Washing Area	9	2888.89	26,000
11.	Facilities for Internal Connectivity (in Kms)	1	30 Kms	30 Kms

DC, MEPZ has recommended the request of the developer. The request of the developer is placed before the BoA for consideration.

**(iii) Request of M/s. Dahej SEZ Limited for authorized operations in the multi product SEZ at Vagra, District Bharuch, Gujarat**

The above mentioned SEZ stands notified over an area of 1704.37.53 hectares. The developer has requested for the following authorized operations in the **processing area and non-processing area**:-

**Processing Area**

S. No.	Authorised operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
1.	Construction of two fly over bridges in dedicated corridor between SEZ part I and SEZ Part II	NA	NA	4.66 KM

**Non-processing Area**

S. No.	Authorised operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
1.	Port over a land of 14 hectares	NA	NA	NA

The request of the developer along with the justification for the authorized operations is at **Annexure - 4**. DC, Dahej SEZ has recommended the request of the developer.

The request is placed before the BoA for consideration.

**(iv) Request of M/s. ONGC Limited, a unit in M/s. Dahej SEZ Limited for authorized operations in the multi product SEZ at Vagra, District Bharuch, Gujarat**

The above mentioned SEZ stands notified over an area of 1704.37.53 hectares. M/s. ONGC Limited has been granted approval for setting up a unit in the above mentioned SEZ. The unit has requested for the following authorized operation in the **processing area** of the SEZ:-

S. No.	Authorised operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
1.	Helipad	1	NA	900 (30x30 m)

DC, Dahej SEZ has intimated that the unit is setting up a C2, C3 and C4 recovery unit from LNG and that the C2-C3 extraction plant at Dahej is the first of its kind in the world. Further the project entails extraction of C2+ components from cryogenic LNG which would be sourced through M/s. Petronet LNG Limited (PLL), a joint venture of ONGC and its products will be feed stock for the petrochemicals and oil marketing companies, The plant is in the final stage of completion. DC has also intimated that the plant will be handling highly combustible material LNG, a cryogenic liquid. Apart from the risk, the physical contract or spillage of LNG constitute great personnel and equipment hazard. For the emergency evacuation in such an eventually, the unit has proposed to construct the helipad which will be capable of handling medium sized of helicopters. DC has, therefore, recommended the request of the developer, subject to the condition that this Helipad would only be used in cases of emergency.

The request is placed before the BoA for consideration.

**(v) Request of M/s. Zeus Infrastructure Private Limited for authorized operations in sector specific SEZ for IT/ITES at Mulund & Thane, Maharashtra**

The above mentioned SEZ was notified on 23<sup>rd</sup> April 2008 over an area of 57.09 hectares. The developer has requested for the following authorized operations in the **processing area and non-processing area:-**

**Processing area**

S. No.	Authorised operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
1.	Gas based poer plant (with co-generation) – power generation and distribution – 100 MW	1	12000	12000
2.	Storage and Distribution of gas	20	100	2000
3.	Solar Energy system	50	NA	NA
4.	Centralised collection & storage area for recyclable waste such as paper glass, metal, carboard, lastics, e-waste & organic waste	1	3000	3000

### Non-processing area

S. No.	Authorised operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
1.	Office space	NA	NA	112674
2.	Recreational facilities including club house, Indoor or Outdoor games, gymnasium, Welfare center & Library	NA	NA	1200
3.	(a) Business and/or Convention center including hotel (b) Auditorium	NA	NA	(a) 25000 (b) 4100
4.	Housing for Dis-houses to be handed over to Thane Municipal Corporation free of cost	NA	NA	5640
5.	Food Services including Cafeteria, Food courts, Restaurants, Coffee shops, canteens and catering facilities	NA	NA	9200
6.	Pre-primary & Primary, High School, Polytechnic College	NA	NA	2000
7.	Fuel Station	1	1000	1000
8.	Fire Station	1	5000	5000
9.	Nursery for plantation of saplings	1	1000	1000
10.	Higher Education institutes as well as evening classes	1	2500	2500
11.	Solar Energy System	50	NA	NA
12.	Centralised collection & storage area for recyclable waste such as paper glass, metal, cardboard, plastics, e-waste & organic waste	1	3000	3000

The recommendation of the DC SEEPZ in respect of the above authorized operation in the processing area and authorized operations in the non-processing area listed at S. No. 7 to 12 above has not yet been received.

The request is placed before the BoA for consideration.

**(vi) Request of M/s. Indiabulls Realtech Limited, a co-developer in M/s. Indiabulls Industrial Limited for authorized operations in the multi product SEZ at villages Musalgaon and Gulvanch, Taluka Sinnar, District Nasik, Maharashtra**

Multi product SEZ at Nasik, Maharashtra being developed by M/s. Indiabulls Industrial Infrastructure Limited was notified on an area of 1006.96 hectares, on 27th October 2009. The request of M/s. Indiabulls Realtech Limited, for co-developer in the aforesaid SEZ, for setting up a 1200 MW Power Plant, was approved in the 37th BoA meeting held on 15th December 2009. Further, in the meeting held on 11<sup>th</sup> February 2010 BoA had approved the request of M/s. Indiabulls Realtech Limited for enhancing the plant capacity from 1200 MW

to 1350 MW. Later, in the BoA meeting held on 14<sup>th</sup> January 2011, the co-developer was granted approval to increase the capacity of power plant from 1350 MW to 2700 MW.

In the BOA meeting held on 11<sup>th</sup> February 2010, the co-developer was granted approval to carry out certain authorized operations in the non-processing area of the SEZ. When the matter for approval of list of goods for authorized operations was placed before the UAC, the UAC noted that the approval granted for authorized operations by the BoA mentions the quantum permitted in acres and it will facilitate the approval committee to approve the input requirement if the quantum approved is also indicated in numbers. Though the UAC approved the list of goods, it directed that a reference may be made to MoC&I in this regard to specify the quantum approved also in number.

The co-developer has, therefore, submitted, a consolidated list of Authorized Operations has been prepared indicating phase wise and combined requirement in respect of Ph –I & II. The quantum of these Authorized Operations has also been incorporated in numbers. In view of the above position, the developer has, requested for the under mentioned authorized operations in the non-processing area (*The authorized operations for Phase-I has already been approved in the BOA meeting held on 11<sup>th</sup> February 2010*):-

S. No.	Authorized operations	Quantum Approved for Ph-I (in Acres)	Quantum Required for Ph-II (in Acres)	Total area for Ph-I & II (in Acres)	Quantity required for Ph-I	Quantity required for Ph-II	Total Quantity for Ph-I & II
1	<b>Setting-up of the following Mechanical Systems:</b>						
(i)	5 x 270 MW coal based Boiler, Turbine, Generator ( BTG) sets, their Auxiliaries including Boiler feed system, Condensers, Condensate Extraction pumps, HP/LP Heaters , Coal Mills & RC feeders, Coal Bunkers, ID/FD/PA fans, Electrostatic precipitators & Auto control systems etc.	52	52	104	5 Sets	5 Sets	10 Sets
(ii)	Coal Handling System including Wagon tippers, Side arm chargers, Vibro feeders, Crushers, Stackers-cum-	70	70	140	1 Set	1 Set	2 Set

	Reclaimer, Conveyer System, Dust extraction system, Railway Marshalling Yard etc.						
(iii)	Ash Handling System including ash slurry pumps, collector tanks, High Concentration Slurry Disposal( HCS D) System, Compressed Air System, Ash Slurry Pipe lines, Ash Silos for Dry Fly Ash disposal and Mill Reject System	9	9	18	1 Set	1 Set	2 Sets
(iv)	Water Treatment Plant including: (a) Pre-treatment Plant (Clarification System, Chemical House, Clariflocculator, Clarified Water Storage Tanks, PT Pumps , associated drives, tanks etc.) (b) DM Plant ( Activated Carbon filters, Cation/ Anion/ Mixed bed exchangers, Degasifier Towers , DM Water Storage tanks, DM pumps, associated Drives, Tanks etc.,)	3.5	Area available in Ph –I.	3.5	(a) 1 Set  (b) 1 Set	(a) 1 Set  (b) 1 Set	(a) 2 Sets  (b) 2 Sets
(v)	CW / ACW Pumps, CW Piping, Butterfly Valves & RE Joints, CW Treatment & Chlorination System,	5	5	10	1 Set	1 Set	2 Sets



	Condensate Polishing Unit ( CPU).						
(vi)	Raw Water Pumping System including Pumps, Piping lines from STPs, Pump House, 33KV line & Substation etc.	2 Acre + 10 mtr x 18 Km –The Pipe line corridor will be implemented after land strip is acquired	Common facility for Ph –I & II	2	1 Set	-	1 Set
(vii)	Fuel Oil Receipt, Storage and Handling System ( including pumps, associated drives, Tanks)	2.25	-do-	2.25	1 Set	-	1 Set
(viii)	Air Conditioning System and Ventilation System including ducting etc	0.5	0.5	1.0	1 Set	1 Set	2 Sets
(ix)	Compressed Air system including Compressors, piping, Air vessels and driers etc.	0.75	0.75	1.5	1 Set	1 Set	2 Sets
(xi)	Hydrogen Generation Plant	0.25	Common facility for Ph –I & II	0.25	1 Set	-	1 Set
(xiii)	Workshop Equipments	0.75	Common facility for Ph –I & II	0.75	1 Set	-	1 Set
<b>2</b>	<b>Electrical Works:</b>						
(i)	Power Transformers GT, ST, UAT & ICT (Generator Transformers, Station Transformers, Unit Aux Transformers & Interconnecting Transformers etc.)	Included in respective systems	Included in respective systems	-	Power Transformer s: a) GT: 5 Sets. b) ST: 3 Sets c) UAT:10 Sets d) ICT: 1 Set	Power Transformer s: a) GT: 5 Sets. b) ST: 3 Sets c) UAT:10 Sets d) ICT: 1 Set	Power Transformer s: a) GT: 10 Sets b) ST: 6 Sets c) UAT:20 Sets d) ICT: 2 Sets

(ii)	Electrical Equipment for Balance of Plant (EBOP) including 400 KV Switchyard, Switchgears, Isolators, Lightening Arrestors, Protection System, Earthing, Towers, Busbar Gantries, Conductors, Insulators, Cables, SCADA System, Station lighting, Plant DG Sets etc.	55	Area available in Ph -I	55	1 Set	1 Set	2 Sets
(iii)	400 KV Transmission lines including Sub-station Bays at CTU/STU end for Grid connectivity / Start-up power and Interconnecting transformers with associated switchgears etc for Transmission / Distribution of power in SEZ area.	- Right of Way for 52 mtr x 100 Km (Transmission lines to be implemented after obtaining land-strip	- Right of Way for 52 mtr x 100 Km	-	1 Set	1 Set	2 Sets
<b>3</b>	<b>Civil Works :</b>						
(i)	Site Leveling & Grading Work	600 Acre	250	850	1 Lot	1 Lot	2 Lots
(ii)	BTG Civil & Structural works	Included in respective system	-	-	1 Lot	1 Lot	2 Lots
(iii)	General Civil Works for BOP, Misc. & non-plant Buildings, Loco Shed etc.	Included in respective system	-	-	1 Lot	1 Lot	2 Lots
(iv)	Chimney (including Stack Elevator, Electrical System, Aviation lighting, Earthing etc)	Included in respective system	-	-	2 Sets	2 Sets	4 Sets
(v)	Cooling Towers	65	65	130	5 Sets	5 Sets	10 Sets
(vi)	Plant Water	90	Common				

	Reservoir including Gates/ Screens etc.		facility for Ph-I & II	90	1 Lot	-	1 Lot
(vii)	Ash Dyke and Ash Water Recovery System	216	-do-	216	1 Lot	-	1 Lot
(ix)	Construction of Railway siding, Embankment, Bridges, R.U.B. & associated civil works, P. Way Works (laying of rails & sleepers), Signaling & Telecommunication, procurement of Locomotives	50 mtr x25 Km land - strip to be acquired beyond Plot area for connectivity with Railway network	50 mtr x 25 Kms strip	-	1 Lot	1 Lot	2 Lots
<b>4</b>	<b>Site Enabling Works :</b>						
(i)	Site Office including Porta Cabins, Furniture and Air Conditioning	5.5	Common facility for Ph -I & II	5.5	1 Lot	-	1 Lot
(ii)	Stores & Steel Yard	22.5	-do-	22.5	1 Lot		1 Lot
(iii)	Field Quality Assurance Lab, Environment & Chemical Labs complete with equipment.	0.2	-do-	0.2	3 Sets	-	3 Sets
(iv)	Road Weigh Bridge including cabin	0.12	0.12	0.24	1 No.	1 No.	2 Nos.
(v)	DG sets for site	0.25	0.25	0.5	5 Nos.	5 Nos.	10 Nos.
(vi)	Lighting masts (Mobile type)	NA	NA	NA	5 Nos.	5 Nos.	10 Nos.
(vii)	Site Office Power arrangement ( 11 KV )	0.25	-do-	0.25	1 Lot	-	1 Lot
(viii)	Diversion of existing 220kV Lines at site	7.5	Not Required	7.5	1 Lot	-	1 Lot
(ix)	Laying of Construction Power system; 33/11 KV Substations & LT Distribution System.	Included in respective system	Included in respective system	-	1 Set	-	1 Set

The report of the DC SEEPZ in the matter is awaited. The request is placed before the BOA for consideration.

**Item No. 45.10: Request for change of sector/broad-banding the sector**

**(i) Request of M/s. GMR Hyderabad Aviation SEZ Limited for change of sector of notified SEZ at Mamidipalli village, Hyderabad, Andhra Pradesh from 'Aviation' to 'Multi Product-Airport Based'**

The above mentioned SEZ was notified on 20<sup>th</sup> October 2009 over an area of 101.92 hectares at Mamidipalli village, Hyderabad, Andhra Pradesh. The developer has requested for change of sector of the SEZ from 'Aviation' to 'Multi Product-Airport Based' to widen the scope for trading activities in the FTWZ. DC VSEZ has recommended the request. The request of the developer is placed for consideration of BoA.

**Item No. 45.11: Requests for increase/decrease in area**

**(i) Request of M/s. CMC Limited for increase as well as decrease in area of the sector specific SEZ for IT/ITES at village Gachibowli, Rajendra Nagar Taluk, Ranga Reddy District, Hyderabad, Andhra Pradesh**

The above mentioned SEZ was notified on an area of 20.59 hectares on 5<sup>th</sup> December 2006. The developer has requested for addition and de-notification of an area of land admeasuring 0.78 hectares and 2.62 hectares respectively, making the area of the SEZ to 18.74 hectares. Report of DC, VSEZ has also been received. As per the report, the developer has cited change in boundary for operational convenience and municipal rules as the reason for request of the decrease in area. Regarding increase in area request, the developer submitted that this piece of land belongs to CMC and part of 75.0 acres of land originally alienated to them by Government of Andhra Pradesh. However, this was not included in the CMC Limited SEZ notified area of 20.59 hectares as this was under a dispute with neighbour and the same has been declared in favour of the developer by the Court that the piece of land is owned by the developer. DC has also intimated that no exemptions have been availed for the proposed area of de-notification and even after, the proposed addition and deletion the SEZ would be contiguous and satisfy the minimum land requirement.

The request of the developer for change in area of the SEZ is submitted for consideration of the BoA.

**Item No. 45.12: Requests for de-notification**

**(i) Request of Maharashtra Industrial Development Corporation (MIDC) for de-notification of the sector specific SEZ for Textile at Chincholi-Kati, Taluka Mohal, District Solapur, Maharashtra, notified over an area of 103 hectares**

The above mentioned SEZ was notified on 19<sup>th</sup> May 2009 over an area of 103 hectares. Now, the developer has requested for de-notification of the SEZ stating that even after notification of the SEZ no enquiry for setting up of SEZ unit was received. Further, on an enquiry it was learnt that the Chincholi Industrial Area is away from Solapur town. The skilled labour force required for working in the textile units is not willing to commute to Chincholi as sufficient employment opportunities are available at Industrial area of MIDC on Akkalkot road which is near from Solapur town. In view of the above position the developer has proposed to de-notify the SEZ. Government of Maharashtra has recommended the request of de-notification.

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

**Item No. 45.13:      Requests for first extension of validity of formal approvals**

- (i) Request of M/s. Bengal Shapoorji Infrastructure Development Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Durgapur, District Burdwan, West Bengal, beyond 24<sup>th</sup> June 2011.
- (ii) Request of M/s. Uppals IT Projects Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Greater Noida, District Gautam Budh Nagar, Uttar Pradesh, beyond 16<sup>th</sup> March 2011.
- (iii) Request of M/s. Gallant Infrastructure Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Plot No. 202, Sector KP-5, Greater Noida, Uttar Pradesh, beyond 6<sup>th</sup> February 2011.
- (iv) Request of M/s. Jubilant Infracon Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Plot No. 03, Sector 140 A, Greater Noida, Uttar Pradesh, beyond 6<sup>th</sup> February 2011.
- (v) Request of M/s. Haldia Free Trade Warehousing Private Limited (HFTWPL) for extension of the validity period of formal approval, granted for setting up of FTWZ at Haldia, West Bengal, beyond 17<sup>th</sup> February 2011.
- (vi) Request of M/s. Anant Raj Industries Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Plot No. TP-1, Rai, Sonapat, Haryana, beyond 13<sup>th</sup> March 2011.
- (vii) Request of M/s. Fama Estate Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at village Jatade and Savle, District Panvel, Maharashtra, beyond 17<sup>th</sup> February 2011.
- (viii) Request of M/s. Juventus Builders and Developers Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at village Savroli and Dhamni, Taluka Khalapur, District Raigarh, Maharashtra, beyond 12<sup>th</sup> February 2011.
- (ix) Request of M/s. Perpetual Infracon Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Faridabad, Haryana, beyond 3<sup>rd</sup> February 2011.
- (x) Request of M/s. Unitech Hi-Tech Projects Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Plot No. 1, Sector 144, Noida, Uttar Pradesh, beyond 14<sup>th</sup> February 2011.
- (xi) Request of M/s. IFFCO Kisan SEZ Limited for extension of the validity period of formal approval, granted for setting up of Multi Product SEZ at Nellore District, Andhra Pradesh, beyond 4<sup>th</sup> May 2011.

(xii) Request of M/s. Rassai Properties & Industries Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services at Hindupur, Anantapur District, Andhra Pradesh, beyond 3<sup>rd</sup> February 2011.

(xiii) Request of M/s. Ansal Colours Engineering SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Agro and Food processing Products at village Bhagan, Tehsil-Ganaur (Sonepat) and village Kurar Ibrahimpur, Tehsil-Sonepat on NH-1, Haryana, beyond 17<sup>th</sup> June 2011.

(xiv) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Jagir Ammapalayam village, Salem Taluk, Salem District, Tamil Nadu, beyond 25<sup>th</sup> July 2010. **The developer has made a delayed request for grant of first extension of the validity of the formal approval. The BoA may also consider condoning the delay.**

(xv) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Vadapalanji village Madurai District, Tamil Nadu, beyond 25<sup>th</sup> July 2010. **The developer has made a delayed request for grant of first extension of the validity of the formal approval. The BoA may also consider condoning the delay.**

(xvi) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Viswanathapuram village, Hosur Taluk, Krishnagiri District, Tamil Nadu, beyond 25<sup>th</sup> July 2010. **The developer has made a delayed request for grant of first extension of the validity of the formal approval. The BoA may also consider condoning the delay.**

(xvii) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Navalpattu village Tiruchirapalli Taluk, Tiruchirapalli District, Tamil Nadu, beyond 25<sup>th</sup> July 2010. **The developer has made a delayed request for grant of first extension of the validity of the formal approval. The BoA may also consider condoning the delay.**

(xviii) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Ilandaikulam village, Madurai District, Tamil Nadu, beyond 25<sup>th</sup> July 2010. **The developer has made a delayed request for grant of first extension of the validity of the formal approval. The BoA may also consider condoning the delay.**

**Item No.45.14: Requests for second extension of validity of formal approvals**

(i) **Request of M/s. N.G. Realty Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Engineering at village Rajoda, District Ahmedabad, Gujarat, beyond 22<sup>nd</sup> May 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 230 hectares, vide LoA dated 23<sup>rd</sup> May 2007. The SEZ stands notified over an area of 217.14.09 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 22<sup>nd</sup> May 2011. The developer has given details of

the steps taken for implementation of the project and has requested for further extension of validity of formal approval. DC, KASEZ, has intimated that the developer has started taking implementation action to develop the notified SEZ, for which approval of goods & services for authorized operations has already been done. The developer has also completed the boundary wall and other infrastructure works like roads, drainage lines, office buildings, street lighting, water supply etc. are under process in Phase – 1. The DC has also stated that the two units have already been granted LoA. DC, KASEZ has also recommended the request of the developer

**(ii) Request of M/s. Ansal IT City & Parks Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Plot No. TZ-06, Tech Zone, Greater Noida, Uttar Pradesh, beyond 6<sup>th</sup> April 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 30.41 hectares, vide LoA dated 7<sup>th</sup> April 2006. The SEZ was notified on 29<sup>th</sup> August, 2006 over an area of 30.41 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 6<sup>th</sup> April 2011. The developer has given the details of the steps taken towards implementation of project and has intimated that the boundary wall, site office, DC Office and small electric sub-station has already been constructed and approximately 250000 sqft. of IT/ITES structure nearing completion. The developer has further stated that earlier due to the economic slowdown in the IT sector, the company was unable to start the project. Now the business enquiries have started generating from the IT companies and it is planning to complete the phase - I. The developer has, therefore, requested for further extension of the validity of the formal approval.

**(iii) Request of M/s. Mangalore SEZ Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceuticals and Petroleum at Baikampady, near Mangalore, Dakshina Kannada District, Karnataka, beyond 29<sup>th</sup> July 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 588 hectares, vide LoA dated 30<sup>th</sup> July 2007. The SEZ was notified on 6<sup>th</sup> November 2007 over an area of 587.921 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 29<sup>th</sup> July 2011. The developer has given the details of steps taken to implement the project. The developer has also intimated two units have been approved and their construction activities are progressing in full swing. The developer has also intimated that the project is likely to complete by June 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, CSEZ, has recommended the request of the developer.

**(iv) Request of M/s. Zeus Infrastructure Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Mulund & Thane, Maharashtra beyond 20<sup>th</sup> June 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 54.22 hectares, vide LoA dated 21<sup>st</sup> June 2006. The SEZ was notified on 23<sup>rd</sup> April 2008 over an area of 57.09 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 20<sup>th</sup> June 2011. The developer has stated that the work has been started at the site after getting the various required permissions

and approvals of Central Government and State Government. Further, the “consent to establish” from Maharashtra Pollution Control Board has also been received. Besides this, the land use proposal and development control regulation have also been sanctioned and approved by the Director of Town Planning, Maharashtra State. The developer needs more time to complete the project and has, therefore, requested for further extension of the validity period of formal approval. DC SEEPZ SEZ has recommended the request of the developer.

**(v) Request of M/s. Biotor Industries Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Agro based Chemicals at village Vilayat, Taluka Vagra, District Bharuch, Gujarat, beyond 22<sup>nd</sup> May 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 122 hectares, vide LoA dated 23<sup>rd</sup> May 2007. The SEZ was notified on 23<sup>rd</sup> April, 2009 over an area of 118.90.63 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 22<sup>nd</sup> May 2011. The developer has intimated that the project had got environment clearance on 3.11.2009. Further, consent for establishment from Gujarat Pollution Control Board to start development work of the SEZ, is still awaited. The developer has further stated due to initial delay in allotting land by GIDC coupled with economic meltdown last year, the company could not start implementation of the project on time. The developer has, therefore requested to extend the validity of the formal approval further for a period of one year.

**(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 IT/ITES at Nedumbassery and Chengamanadu villages, Aluva Taluk, Ernakulam District, Kerala, beyond 25<sup>th</sup> October 2010**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 30.76 hectares, vide LoA dated 26<sup>th</sup> October 2006. The SEZ is yet to be notified. The developer has been granted first extension of the formal approval, the validity of which was up to 25<sup>th</sup> October 2010. 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.

**(vii) Request of Kandla Port Trust for second extension of the validity period of formal approval, granted for setting up of Port based Multi Product SEZ at Kandla and Tuna, Gandhidham, Bhuj District, Gujarat, beyond 6<sup>th</sup> May 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 5000 hectares, vide LoA dated 7<sup>th</sup> May 2007. The SEZ is yet to be notified. The developer has been granted first extension of the formal approval, the validity of which is up to 6<sup>th</sup> May 2011. The developer has stated that it is yet to get requisite certificates from Government of Gujarat for notification of SEZ. The developer needs more time to complete the project and has, therefore, requested for grant of further extension of validity of the formal approval.



**(viii) Request of M/s. Concord Investment for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Devanahalli Taluk, Bangalore Rural District, Karnataka, beyond 12<sup>th</sup> November 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 13.44 hectares, vide LoA dated 13<sup>th</sup> November 2006. The SEZ is yet to be notified. The developer has been granted first extension of the formal approval, the validity of which is up to 12<sup>th</sup> November 2011. The developer has stated that Bangalore International Airport Planning Authority (BIAAPA) being the area planning authority revised the plan of the area where the SEZ is located. As per the revised plan a public road was proposed to be passed through the approved SEZ. Due to this the developer had to revise their request to notify an extent of 10.217 hectares only. Further, the developer has stated that it is awaiting the notification of the SEZ and would commence the development once it is notified. The developer has, therefore, requested for grant of further extension of validity of the formal approval. DC, CSEZ has recommended the request of the developer.

**(ix) Request of Electronic 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 Vilankurichi, Coimbatore North Taluk, Coimbatore, Tamil Nadu, beyond 15<sup>th</sup> June 2010**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 11.76 hectares, vide LoA dated 16<sup>th</sup> June 2006. The SEZ was notified on 11<sup>th</sup> April 2007 over an area of 11.76 hectares. Subsequently, additional area admeasuring 10.84 hectares was notified on 16<sup>th</sup> April 2008, thereby making the total area of the SEZ as 22.60 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 15<sup>th</sup> June 2010. The developer has intimated that it has completed all work in this SEZ such as Road, Compound wall, Culverts, Street light work. Its co-developer has also completed the construction of 1.7 million sqft of space which is ready for occupancy. The developer has stated that they are unable to get the customs duty and Central Excise Duty for the duty free indigenous materials and imported materials to be procured for the work of Construction of Administrative Block, Sump, Water lines. The developer has, therefore, requested for grant of further extension of validity of the formal approval. DC, MEPZ has recommended the request of the developer.

**(x) Request of M/s. Ranbaxy Laboratories Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceuticals at Mohali, Punjab, beyond 18<sup>th</sup> June 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 32 hectares, vide LoA dated 19<sup>th</sup> June 2006. The SEZ was notified on 10<sup>th</sup> April 2007 over an area of 32.374 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 18<sup>th</sup> June 2011. The developer has given the details of the steps taken towards the implementation of the project and has informed that authorized operations have been completed and infrastructure necessary for facilitating set-up and operations of units for pharmaceuticals exports have been developed in the zone. Since exports from SEZ are yet to commence, the developer has requested for grant of further extension of validity of the formal approval. DC, NSEZ has recommended the request of the developer.

**(xi) Request of M/s. International Biotech Park Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at Hinjewadi, District Pune, Maharashtra, beyond 24<sup>th</sup> October 2010**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 13 hectares, vide LoA dated 25<sup>th</sup> October 2006. The SEZ was notified on 22<sup>nd</sup> May 2009 over an area of 12.87 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 24<sup>th</sup> October 2010. The developer has stated that subsequent the extension it has obtained approval of the master plan and is in the process of fulfilling all other compliance related requirements. Further, one unit has also been approved in the SEZ. The developer needs more time to complete the project and has, therefore, requested for grant of further extension of validity of the formal approval.

**(xii) Request of M/s. Cochin Port Trust for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Port based at Puthuvypeen Ernakulam District, Kerala, beyond 17<sup>th</sup> April 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 285 hectares, vide LoA dated 18<sup>th</sup> April 2006. The SEZ was notified on 2<sup>nd</sup> November 2006 over an area of 285.8413 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 17<sup>th</sup> April 2011. The developer has given the details of the steps taken to implement the project and has submitted that it needs some more time to complete the infrastructure and commence operation of the units. The developer has, therefore, requested for grant of further extension of validity of the formal approval. DC, CSEZ has also recommended grant of further extension to the developer.

**(xiii) Request of Andhra Pradesh Industrial Infrastructure Corporation Limited (APIIC) for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at Karakapatla village, Mulugu Mandal, Medak District, Andhra Pradesh, beyond 25<sup>th</sup> October 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 40.47 hectares, vide LoA dated 26<sup>th</sup> October 2006. The SEZ was notified on 25<sup>th</sup> July 2007 over an area of 40.47 hectares. The developer has been granted first extension of the formal approval, the validity of which was up to 25<sup>th</sup> October 2011. The developer has stated that approach road, power and water supply have been provided and the development of other internal infrastructure is in progress. The developer has also stated that due to recession, there was business slack and hence the development works could not be materialized. 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, VSEZ has also recommended grant of further extension to the developer.

**Item No.45.15: Request for third extension of validity of formal approvals**

**(i) Request of M/s. Gujarat Hira Bourse for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Gems and Jewellery at Ichhapor, Surat, Gujarat beyond 6<sup>th</sup> April 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 100 hectares, vide LoA dated 7<sup>th</sup> April 2006. The SEZ was notified on

20<sup>th</sup> July 2007 over an area of 73.87.97 hectares. The developer has been granted further extension up to 6<sup>th</sup> April 2011. The developer has requested for further extension of the validity of formal approval. DC, KASEZ, has recommended the request and has intimated that the developer has started taking implementation action to develop the notified SEZ, for which demarcation as well as approval of goods & services for authorized operations has already been done. Further, the developer has completed nearly 93% of infrastructure work in processing area and 82% work in non-processing and incurred total expenditure of Rs. 73.12 crore as on 31.01.2011. DC, has also intimated two units have been granted LoA.

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

**(ii) Request of Gujarat Industrial Development Corporation for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for EHTP/IT/ITES at Gandhinagar, Gujarat, beyond 12<sup>th</sup> July 2011**

The developer was granted formal approval for setting up the above mentioned SEZ, over an area of 28 hectares, vide LoA dated 13<sup>th</sup> July 2006. The SEZ was notified on 13th December 2006 over an area of 28 hectares. The developer has been granted two extensions of one year each. The validity of the second extension is up to 12<sup>th</sup> July 2011. The developer has given the details of the step taken toward implementation of the project and has intimated that it 7 units have been given LoA by the DC and two units are likely to commence production by the end of March this year. The developer has stated that it had earlier obtained GPCB clearance stipulating zero discharge. However, units which have completed construction and installed plant & machinery are required to discharge effluents in the capital project pipeline. The developer has stated that made application to the GPCB and is in touch with GPCB and capital project to expedite the matter so that permission can be obtained and unit can start commercial production and start export. In view of the above position the developer has requested for grant of further extension of the validity of formal approval 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.

**Item No. 45.16: Requests for grant of second extension of in-principle approval.**

S. No.	Name of the Developer	Sector and area	Location of the SEZ	Percentage of land in possession of developer as on expiry of validity of in-principle approval
1.	M/s. Tirunelveli Infrastructure Developers Private Limited	Multi Product, 1000 hectares	Khaitar village, Tirunelveli District, Tamil Nadu	In-principle approval was granted vide LoA dated 27 <sup>th</sup> February 2009. The developer has now requested for further extension stating that the project could not take off as expected due to difficulty in getting large parcels of land and high land cost. Further, it is now actively pursuing the project and has already negotiating with land owners at various parts of southern Tamil Nadu to commence the project at the earliest. In this case the validity of the LoA has expired on 26 <sup>th</sup> February 2010. The developer had not sought extension of in-

				principle approval earlier. Further, the case is already ripe for second extension. The developer also requested for condoning the delay in filing application for extension of in-principle approval. <b>Therefore, BoA is to consider granting 2 years extension w.e.f. 27<sup>th</sup> February 2010 i.e. the date of expiry of the validity of the in-principle approval.</b>
2.	M/s. Karaikal Port Private Limited	Port Based Multi Product, 243.506 hectares	Vanjore village, Thirupattinam Commune, Karaikal District, Pondicherry	In-principle approval was granted vide LoA dated 27 <sup>th</sup> February 2009. The developer has already been granted first extension, the validity of which was up to 26 <sup>th</sup> February 2011. The developer has stated that it has already acquired 208 hectares of land and the balance land would be acquired in around 6 months. The developer has also intimated that it has already applied for grant of formal approval for which the recommendation of Government of Puducherry is under process. In view of the above the developer has sought one year's extension of the validity of the in-principle approval.
3.	M/s. Trac Technologies India Limited	Multi Services, 1182.19	Krishnagiri District, Tamil Nadu	In-principle approval was granted vide LoA dated 27 <sup>th</sup> February 2009. The developer has already been granted first extension, the validity of which was up to 26 <sup>th</sup> February 2011. The developer has stated that it has identified the required extent of around 3000 acres of contiguous land and has already entered into a contract with a local agent to serve as an aggregator for assisting the company in acquiring. Further, it has contracted the owners of more than 60% of the area and has started negotiations along with the local agent. The developer has also stated that it is confident of completing the verification process shortly and begin acquisition. The developer has also intimated that there has been encouraging response from international investors and potential partners for developing the SEZ. In view of the above the developer has sought one year's extension of the validity of the in-principle approval.
4.	M/s. Gujarat Vittal Innovation City Limited (GVICL)	Multi Product, 1100	Kalagam-Maroli, Area Tal. Umargam, Valsad District, Gujarat	In-principle approval was granted vide LoA dated 27 <sup>th</sup> February 2009. The developer has already been granted first extension, the validity of which was up to 26 <sup>th</sup> February 2011. The developer has stated that the land acquisition is under process and consent negotiation with land owners is taking time. The developer has, therefore, requested

				for further extension of the validity of the in-principle approval. DC, KASZ, has recommended the request of the developer.
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**Item No. 45.17: Request of M/s. Arihant Infratech (India) Private Limited for grant of second extension of in-principle approval and change of location of the sector specific SEZ for Building Materials**

The developer was granted in-principle approval for setting up of sector specific SEZ for Building Materials at Udaipur District, Rajasthan, over an area of 220 hectares, vide LoA dated 26<sup>th</sup> February 2009. The developer has already been granted first extension, the validity of which is up to 25<sup>th</sup> February 2011. The developer has requested for further extension of the validity of in-principle approval. The developer has also requested for changing the location of the SEZ from Udaipur District, Rajasthan to another nearby location within Vallabhnagar, Tehsil, District Udaipur and adjoining area thereto of Dungala Tehsil, District Chittorgarh, Rajasthan. The developer has stated that due to non priority for allotment of Government land as per original plan, the new location has been selected. It has also been stated that 408.87 Bighas of land has already been acquired and efforts are under way to register another 104.70 Bighas. Moreover, application for allotment of Government land admeasuring 533.78 Bighas has already been moved. In view of the above the developer has made the following requests:-

- (i) Issuing amendment to change the location of the proposed SEZ from Udaipur District, Rajasthan to Udaipur and Chittorgarh Districts, Rajasthan
- (ii) Extension of validity period of in-principle approval for another one year beyond 25<sup>th</sup> February 2011 to facilitate land acquisition for implementation of the proposed SEZ.

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

**Item No. 45.18: Requests for grant of third extension of in-principle approval**

S. No.	Name of the Developer	Sector and area	Location of the SEZ	Percentage of land in possession of developer as on expiry of validity of in-principle approval
1.	M/s. Reliance Haryana SEZ Limited	Multi Product, 5000 hectares	Jhajjar District, Haryana	In-principle approval was granted to the proposal vide LoA dated 15 <sup>th</sup> February, 2008. The developer has been granted two extensions of one year each. The validity of the last extension was up to 14 <sup>th</sup> February 2011. The developer has stated that it has already acquired 2671 hectares and has requested Government of Haryana to acquire balance land for enabling contiguous land parcel of minimum 1000 hectares so as to start development activity. In view of the above the developer has sought further extension of the validity of the in-principle approval.

2.	M/s. LMJ Warehousing Private Limited	FTWZ, 40 hectares	Kandla, Gujarat	In-principle approval was granted to the proposal vide LoA dated 11 <sup>th</sup> January, 2008. The developer has been granted two extensions of one year each. The validity of the last extension was up to 10 <sup>th</sup> January 2011. The developer has stated that it could not receive due approval from concern State Government authority for the land proposed for developing FTWZ. Further, few other land blocks have been identified, so time is required to convince the landowners and complete the documentation. The developer has, therefore, requested for further extension of the in-principle approval.
3.	M/s. Rewas Port Limited	Multi Product, 2850 hectares	Rewas District, Raigarh, Maharashtra	In-principle approval was granted to the proposal vide LoA dated 26 <sup>th</sup> June 2007. The developer has been granted two extensions of one year each. The validity of the last extension was up to 25 <sup>th</sup> June 2010. The developer has stated that it has acquired 839.10 hectares and has already taken necessary action for obtaining formal approval. However, State Government recommendation for the same is awaited. The developer has, therefore, requested for further extension of the in-principle approval.

**Item No. 45.19: Request for M/s. Reliance Haryana SEZ Ltd. (RHSL) for setting up of multi product SEZ at Gurgaon, Haryana for grant of extension of in-principle approval**

In-principle approval for setting up of a multi product SEZ over an area of 10000 Ha was granted on 31.3.2006. Validity of in-principle approval was extended for one year and a cap was imposed on the maximum size of SEZ, by reducing to 5000 Hectares as against original approval of 10000 hectares. Request for conversion of in-principle approval to formal for setting up of a multi services SEZ at Gurgaon, Haryana over an area of 440 hectares was approved in the meeting of BoA held on 5<sup>th</sup> June 2007. Afterwards the SEZ for multi services sector was notified over an area of 440.71 Ha. Subsequently, the developer was granted second extension which has expired on 31.3.2009. The developer had, thereafter, requested for third extension. The request was considered by the BoA on in its 35<sup>th</sup> Meeting and was deferred as the board noted that there were no comments from the State Governments nor were the representatives present. The request was later considered in the BoA meeting held on 15<sup>th</sup> December 2009. The BoA decided to grant de novo approval from the date of expiry of the last extension subject to filing Form 'A' and also getting the concerned State Government's recommendations. The developer had filed fresh Form A. However, due to non receipt of State Government's recommendation, de-novo approval letter was not issued. In the meantime SEZ Rules have been amended paving way for extension of validity of in-principle approval beyond 2<sup>nd</sup> year. The developer has requested for extension of in-principle approval up to 31<sup>st</sup> March 2015 stating that land acquisition is a time consuming process and it has requested Government of Haryana to acquire balance land for enabling contiguous land parcel of minimum 1000 hectares so as to start development activity (likely time 3 years). The developer has also stated that 1060 hectares of the land has been acquired but it is not contiguous. In this case the

validity of the in-principle approval has expired on 30.03.2009. The developer has become due fifth extension. BoA is to consider granting extension in the validity w.e.f. 31<sup>st</sup> March 2009.

**Item No.45.20: Consideration of the withdrawal of formal approval granted to M/s. Unitech Kochi SEZ Limited for setting up of sector specific SEZ for IT/ITES at Ernakulam, Kerala**

M/s. Unitech Kochi SEZ Limited was granted formal approval for setting up of the above mentioned SEZ, over an area of 10 hectares, in the BoA meeting held on 8<sup>th</sup> August 2006. The LoA was issued on 23<sup>rd</sup> August 2006. Later, in his inspection report dated 3<sup>rd</sup> April, 2008, it was reported by DC CSEZ that the Government of Kerala has reported that this proposal has not yet been cleared by the Competent Authority and is pending for approval. It may be mentioned that, the representative of Government of Kerala was present in the BoA meeting on 8<sup>th</sup> August, 2006, when the proposal was taken up for consideration. However, no objection was raised against the proposal by him. In view of the report of DC, the SEZ has not yet been notified and a report was sought from DC. In the mean time the validity of the LoA has been extended up to 22<sup>nd</sup> August 2011.

DC CSEZ has now informed that the developer has the ownership of 5.28 hectares of land. In addition to it, they have also registered a lease deed for 5.56 hectares of land which it total exceeds the maximum extent of 15 acres prescribed under Kerala Land Reforms Act, 1963. Therefore, the applicant company has violated the said Act and hence any approval given to the SEZ would lead to irreparable complication. DC has thus recommended that approval granted may be withdrawn after due notice. However, the developer has not requested for withdrawal of formal approval.

In view of the above position, the matter of withdrawal of formal approval granted to the developer is placed before BoA for a decision.

**Item No.45.21: Requests for withdrawal of formal approval**

**(i) Withdrawal of formal approval granted to M/s. Gujarat Hydrocarbons and Power SEZ Limited for setting up of sector specific SEZ for Energy including New and Renewable Energy at Vilayat, Taluka Vagra, District Bharuch, Gujarat**

M/s. Gujarat Hydrocarbons and Power SEZ Limited was granted formal approval for setting up of sector specific SEZ for Oil and Gas at Vilayat, Taluka Vagra, District Bharuch, Gujarat, over an area of 108 hectares, vide LoA dated 6<sup>th</sup> January 2009. Subsequently approval was granted for changing the sector of the SEZ to Energy including New and Renewable Energy. The SEZ is yet to be notified. Now, the developer has requested for withdrawal of formal approval stating that Board of Directors of the Company has passed resolution directing withdrawal of application for setting up of SEZ and for withdrawal of formal approval due to uncertainty in the international market and in the legal framework governing SEZs.

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

**(ii) Withdrawal of formal approval granted to M/s. Mexus Corporation Private Limited for setting up of sector specific SEZ for Electronic Hardware, Software including IT/ITES at Chala, Taluka Pardi, Valsad District, Gujarat**

M/s. Mexus Corporation Private Limited was granted formal approval for setting up of sector specific SEZ for Electronic Hardware, Software including IT/ITES at Chala, Taluka Pardi, Valsad District, Gujarat, over an area of 11.11 hectares, vide LoA dated 27<sup>th</sup> February 2008. The SEZ is yet to be notified. Now, the developer has requested for withdrawal of formal approval stating that the environment in this part of the world in sector specific SEZ for electronic hardware, software including IT/ITES is not encouraging. The developer has further stated that the approval sought for the said SEZ was suo-motto cut down by the SEZ committee from 20.79 hectares to 11.11 hectares resulting into questionability of viability of the project economically, aesthetically and on providing world class infrastructure facilities.

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

**Item No. 45.22: Request of M/s. La Spirit Liquor Trading Co., KASEZ for broad banding/inclusion of Cigarettes in their existing Letter of Approval**

M/s. La Spirit Liquor Trading Co. was approved for setting up a unit at Kandla Special Economic Zone for trading activity of all sorts of Liquor (ITC-HS 2208) vide Letter of Approval dated 24.08.2010.

The unit had requested DC KASEZ for inclusion of “Cigarettes (covered under ITC-HS 2402)” in their existing Letter of Approval. The unit has informed that the entire quantum of finished products, Cigarettes will be imported from overseas countries to KASEZ and will be exported from KASEZ to other Bonded Warehouses and Foreign Vessels in India. However, they will supply to duty free shops on payment in free foreign exchange (from the EEFC Account) and foreign vessels coming at Kandla Port and Mundra Port.

The proposal was discussed in an Approval Committee for SEZ, KASEZ in its meeting held on 11.08.2010 and UAC decided to refer the matter to BoA as the proposal does not come under the purview of automatic approval. DC KASEZ has, therefore, requested for placing the proposal before the BoA.

The proposal is submitted for consideration of BoA

**Item No. 45.23: Request of M/s. Huawei Telecommunication (India) Private Limited setting up an unit in SEZ for manufacture of telecom/information technology equipments**

M/s. Huawei Telecommunication (India) Private Limited has proposed setting up a unit in SEZ for manufacture of telecom/information technology equipments. The manufacturing process will involve 30 to 40 per cent value addition and parts, components and software will be sourced globally as also from the domestic tariff area. The finished equipments will be sold in the domestic area and/or will be exported outside India from the SEZ unit.

The firm has sought clarification that on the equipment that will be cleared from the SEZ unit will be treated as Indian origin goods and hence only general customs duty (other



than anti dumping duty) on clearance of final product from SEZ to DTA and post-manufacture, no customs duty should apply on the inputs forming part of the final product.

As it is a major policy decision, the same is being placed before BoA for its direction.

**Item No. 45.24: Requests of SEZ units for import of prohibited items**

**(i) Request of M/s. Biomax Fuels Limited, a Unit in VSEZ, for import of used cooking oil**

M/s. Biomax Fuels Limited, a unit in VSEZ, was issued LoA on 19.10.2006 for manufacture of Biodiesel and its by-products (Glycerine, Mixed Cartenoids). The unit so far has made an investment of Rs. 170.00 crores. The unit commenced production on 26.06.2010 and has made exports to the tune of Rs. 15.48 crores.

The unit is importing Crude Palm Oil (CPO) which is the major Raw Material for manufacture of Biodiesel. The unit has stated that the current prices of the CPO have scaled very high levels and they are not in a position to reach the break-even point and the Biodiesel manufacturing units are suffering a severe setback because of the price fluctuations of CPO in the international market.

In order to compete with the other Biodiesel manufacturing units, the unit had tried other alternatives for manufacture of Biodiesel. In this connection, they have come up with an idea of manufacturing Biodiesel with alternative raw material i.e. used cooking oil. Used cooking oil is cheaper and is otherwise of no use, hence utilizing used cooking oil as raw material helps the unit in manufacturing Biodiesel at a cheaper cost which can complete with other units successfully. The unit has, therefore, requested for approval for importing cooking oil. The unit has also stated that the imported cooking oil will be used exclusively for export of the biodiesel manufactured from it

As per ITC (HS) Classifications of Export & Import items like used cooking oil is covered under 1518 00 40 which is a prohibited item for Import. The unit has requested for permission to import the prohibited item for manufacture of Biodiesel.

As per an amendment in the SEZ Rules notified on 7<sup>th</sup> September 2010 items prohibited for import can be procured by a Special Economic Zone unit or Developer from a place outside India to the Special Economic Zone with the prior approval of Board of Approval". DC VSEZ has, therefore, recommended the proposal.

**(ii) Request of M/s. Southern Online Biotechnologies Limited, a Unit in APIIC SEZ, at Atchutapuram Mandal, Visakhapatnam, Andhra Pradesh for import of Tallow/Tallow oil**

M/s. Southern Online Biotechnologies Limited has been granted LoP on 14.12.2007 for manufacture of Bio Diesel and its by-products Glycerin, Residue. The unit so far has made an investment of Rs. 93 crores. The unit had commenced production on 9<sup>th</sup> September 2010 and has made exports to the tune of Rs. 20 lakhs. The unit has stated that it has been importing Crude Palm Oil (CPO) a major Raw Material for manufacture of Biodiesel. The unit has stated that the current prices of the CPO have scaled very high levels and they are not in a position to reach the break-even point and the Biodiesel manufacturing units are

suffering a severe setback because of the price fluctuations of CPO in the international market.

The unit has stated that In order to compete with the other Biodiesel manufacturing units, it had tried other alternatives for manufacture of Biodiesel. In this connection, it has come up with an idea of manufacturing Biodiesel with alternative raw material i.e. like Mutton Tallow and Tallow Oil both of which can be sourced economically from International markets. This would help the unit to produce the bio-diesel manufacturing units and also avoid suffering any financial losses. The unit has, therefore, requested for approval for importing Mutton Tallow and Tallow oil. The unit has also stated that the imported Mutton Tallow and Tallow oil will be used exclusively for export of the biodiesel manufactured from it.

As per ITC (HS) Classifications of Export & Import items like Mutton Tallow is covered under 15020010 while Tallow Oil HS code being 15030000 both of which are listed as prohibited items for import.

As per an amendment in the SEZ Rules notified on 7<sup>th</sup> September 2010 items prohibited for import can be procured by a Special Economic Zone unit or Developer from a place outside India to the Special Economic Zone with the prior approval of Board of Approval". DC APSEZ has, therefore, recommended the proposal.

**Item No. 45.25: Proposal of M/s.Keshwani Exim Pvt.Ltd. for setting up unit in KASEZ for Trading activity of raw salt, Industrial salt, refined free flow Iodized salt, Sugar Grains, Pulses, Spices, Cereals Flour and Honey.**

M/s. Keshwani Exim Pvt.Ltd, Mandvi -(Kutch) had proposed to set up a unit for trading activity of Raw salt, Industrial salt, Refined free flow Iodized salt, Sugar Grains, Pulses, Spices, Cereals Flour and Honey.

The proposed project cost was Rs. 50.00Lakhs. The FOB value of export has been projected for 5 years period at Rs.500.00 Lakhs against foreign exchange outgo of Rs.400.00 Lakhs with N.F.E achievement of Rs.100.00 Lakhs.

The proposal of M/s. Keshwani Exim Pvt. Ltd was discussed in the Approval Committee meeting of Kandla SEZ in its 43<sup>rd</sup> meeting held on 24.02.2011 and it was decided that except for the Salt and honey, approval of other items was required to be taken up with BOA subject to the condition that regulated items like Sugar (HS Code No.17011110,17011120,17011190,17019100,17019910,17019990), Grains (HS Code No.41071100,41071200,41071900),Pulses(HSCoDeNo.07131000,07132000,07133910, 07133990), Spices (HS Code No.09041110,09411120,09041130, 09042010,09042020), Cereals Flour (HS Code No. 11031300,11042300,11042900,) would be only imported from outside the country and will be exported after re-packing. DC, KASEZ has, therefore, requested to place the request of the unit before BoA.

The request is accordingly placed before BoA for consideration

**Item No. 45.26: Requests for extension of LoP of units beyond 3<sup>rd</sup> year**

**(i) Request of M/s. Godrej & Boyce Manufacturing Company Limited, a unit in M/s. Dahej SEZ Limited, Gujarat for extension of LoP beyond 29<sup>th</sup> May 2010**

M/s. Godrej & Boyce Manufacturing Company Limited was granted LoP for setting up a unit, in the above mentioned SEZ, vide LoP dated 30<sup>th</sup> May 2007. Subsequently, on request of the unit, DC had extended LoP of the unit up to 29<sup>th</sup> May 2010 in respect of manufacturing activity. DC Dahej has stated that the unit could not start its activity as there were in encroachment issues (Ashram and Temple) in the plot. Further, approach road inside the SEZ to reach unit's plot were completed late due to heavy monsoon. DC has stated that inspite of above difficulties unit has completed boundary wall around their plot isolating Ashram, but could not complete their project. Therefore, the unit has requested for further extension of the LoP. As per rule 19 (4) of the SEZ rules 2006, the DC may grant further extension of one 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 due to the above difficulties the unit has not been able to complete two-third activity. DC has recommended further extension of LoP.

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

**Item No. 45.27: Requests for extension of LoP of units beyond 4<sup>th</sup> year**

**(i) Request of M/s. Oil and Natural Gas Corporation Limited C2-C3 Project – Dahej, a unit in M/s. Dahej SEZ Limited, Gujarat for extension of LoP beyond 5<sup>th</sup> March 2011**

M/s. Oil and Natural Gas Limited C2-C3 Project-Dahej was granted LoP for setting up a C2, C3 and C4 recovery unit from LNG, in the above mentioned SEZ, vide LoP dated 6<sup>th</sup> March 2007. Subsequently, on request of the unit, DC had extended LoP of the unit up to 5<sup>th</sup> March 2011 in respect of manufacturing activity. The unit has requested for further extension for a period of one year. DC, KASEZ, has intimated that unit has completed construction work of the plant. Further, works of redesign and procurement of all the imported and indigenous items have also been completed. DC has also intimated that the plant is based on a unique technology being implemented for the first time in the world and therefore teething problems are expected. ONGC is making all efforts to complete the remaining works and start operations at the earliest and the remaining work is likely to take another – 1-4 months. The DC has, therefore, recommended extension of the LoP of the unit for a period of one year w.e.f. 6<sup>th</sup> March 2011 (i.e. up to 5<sup>th</sup> March 2012).

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

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

**(ii) Request of M/s. Circuit Systems (India) Limited, a unit in the sector specific SEZ for Electronic developed by Gujarat Industrial Development Corporation (GIDC) at Gandhinagar, Gujarat for extension of LoP beyond 13<sup>th</sup> March 2011**

M/s. Circuit Systems (India) Limited was granted LoP for setting up a unit in the above mentioned SEZ, vide LoP dated 14<sup>th</sup> March 2007, for manufacture and export of electronic components and printed circuit boards.

Subsequently, on request of the unit, DC had extended LoP of the unit from time to time, for a total period of 3 years. The validity of the last extension is up to 13<sup>th</sup> March 2011. The unit has requested for further extension for a period of one year. DC, KASEZ, has intimated that unit has completed all related civil construction work, imported required plant and machineries and has also obtained power connection. However, the unit is yet to receive requisite NOC from GPCB to start commercial production. DC has also intimated that earlier, due to litigation by local resident against the developer and global recession the project implementation action was delayed. The DC has, therefore, recommended extension of the LoP of the unit for a period of one year w.e.f. 14<sup>th</sup> March 2011 (i.e. up to 13<sup>th</sup> March 2012).

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

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

**Item No. 45.28: Requests for Contiguity Relaxation**

**(i) Request of M/s. Raheja Haryana SEZ Developers Private Limited, for relaxation of the contiguity of the sector specific SEZ for Engineering at Gurgaon, Haryana**

The above mentioned SEZ was notified on 10<sup>th</sup> March 2008 over an area of 103.0154 hectares. The developer had submitted master plan for approval, which was considered in the UAC on 25.02.2010. In the meeting Sr. Town Planner had pointed out certain issues regarding revenue raasta falling in the area of notified SEZ. The developer had informed that they are in process of getting necessary permission from the respective department for alternative raasta.

The developer had later submitted a revised master plan which was discussed in the UAC on 1.10.2010 on various issues including two revenue raastas shown in the non-processing area and one revenue raasta in the processing area. It was also pointed by the Sr. Town Planner that there is also other man's land in the processing area of SEZ. The right of way for the same as shown by the developer is from another man's land instead of revenue raasta/HUDA road. The developer informed the UAC that the said land is being procured and will be added to the notified area of SEZ. The UAC desired certain changes in the master plan and, therefore, deferred the approval of the Master Plan submitted by the developer. The UAC also advised the developer to obtain approval from BoA for relaxing the contiguity in processing area by making under pass in terms Instruction No. 27. The developer has, accordingly requested for relaxation of contiguity. The developer has stated that the proposed under pass will not affect the contiguity of the processing area as the same will get covered on the top by landscaping and the wall shall be running contiguous.

The proposal was earlier considered in the BoA meeting held on 18<sup>th</sup> November 2010 and was deferred and the Board directed DC, NSEZ, to inspect the land and submit report for consideration of the Board. The report of DC, NSEZ has since been received and is at **Annexure - 5**.

The proposal is, therefore, placed before the BoA for consideration.

**(ii) Request of M/s. Wellgrow Buildcon Pvt. Ltd., Haryana for relaxation of contiguity**

The proposal of M/s. Wellgrow Buildcon Pvt. Ltd. for setting up of sector specific SEZ Electronics/IT & ITES sector at Revenue village of Babra Bankipur, Tehsil and District Gurgaon, Haryana was considered in the BoA meeting held on 20<sup>th</sup> March 2008. In the meeting, the representative of the Government of Haryana had informed that the land has to be partitioned in the revenue records, which will be carried out before the notification of the SEZ. Accordingly, the Board decided to grant formal approval for setting up of a sector specific Special Economic Zone for Electronics / IT & ITES sector at Revenue Village of Babra Bankipur, Tehsil and District Gurgaon, Haryana by Wellgrow Buildcon Private Limited over an area of 24.29 hectares subject to the condition that the notification will be issued only after the land is partitioned in the revenue records with clear title and possession. The LoA was issued on 21.04.2008.

The developer had earlier informed that the land has since been partitioned in the company's name and that two private Raastas falling in revenue numbers 39/2/2 (0-8) and 39/3/2/2 (0-8) passing through the SEZ project land are jointly owned by the company/associates and private individuals. It was also informed these private Raastas are not Revenue 'Raastas' and are not meant for public thoroughfare and are meant only for private use of the land owners who given their absolute No Objections for construction of an underpass through the said private Raastas to achieve contiguity of the SEZ. Therefore, the developer had requested to relax the contiguity norms and allow the SEZ land, proposed to be connected through the two under passes, to be considered contiguous for the purpose of the SEZ.

The request of the developer was considered in the BoA meeting held on 11<sup>th</sup> February, 2010 and was not agreed to.

The developer again requested for relaxation of contiguity stating that it has revised the development plan and as per the revised plan, the two Private Raastas are passing through the non-processing zone only and the developer proposes to achieve the contiguity thereof by the construction of Underpasses through these Private Raastas. The developer had stated that it is essential to retain these Private Raastas for establishing contiguity for the entire SEZ project land. The adjacent land owners have already given their irrevocable and absolute No Objections for construction of underpass.

The proposal was considered in the BoA meeting held on 18<sup>th</sup> November 2010 and was deferred and the Board directed DC, NSEZ, to inspect the land and submit report for consideration of the Board. The report of DC, NSEZ has since been received and is at **Annexure - 6**.

The proposal is, therefore, placed before the BoA for consideration.

**Item No. 45.29: Requests for M/s. Sparrow Television Private limited, a unit in the Hi-Tec SEZ being developed by SIPCOT at Sriperumbudur, Tamil Nadu, for permission for carrying our manufacturing in job work basis for DTA units**

M/s. Sparrow Television Private limited has been allotted 2 acres land in the above SEZ for manufacturing the following products:-

- (i) Plastic Injection Moulding
- (ii) Wire-Wound Components
- (iii) Electronic Assembly

The unit has stated that the project was envisaged to cater units in and around the area, which include M/s. Samsung India and M/s. Dell India. Further, with the shifting of M/s. Samsung India & M/s. Dell India out of the SEZ, it has become unviable for the unit to supply the components to these companies while operating in the SEZ. The unit has stated that all the raw materials are available indigenously, and the unit would not be importing any duty free materials, whereas applicable custom duty will be charged on sale of its products to domestic customers. The unit has, therefore, requested for permission for carrying out manufacturing on job work basis for DTA units in its facility, to make it viable.

The request of the unit is placed BoA for consideration

**Item No. 45.30: Application for grant of Industrial Licence for M/s. R.R. Texknit Private Limited for manufacture of Bullet Proof Jacket, Bullet Proof vest, Bullet Proof Helmets, Hard Armour Plate & Bomb Blanket**

Department of Industrial Policy and Promotion (DIPP) has informed that M/s. R.R. Texknit Private Limited has proposed to set up a defence production unit in the NSEZ for manufacture of Bullet Proof Jacket, Bullet Proof vest, Bullet Proof Helmets, Hard Armour Plate & Bomb Blanket. 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 in receipt of the minutes of Board of Approvals. DIPP has, therefore, requested that the request to consider the proposal for manufacture of above mentioned Defence related items in the BoA meeting. The matter is accordingly placed before the BoA for consideration.

**Item No. 45.31: Request of M/s. SFO Technologies Private Limited a unit in Cochin Special Economic Zone (CSEZ) for permission to broadband LoA to include items to be supplied to defence units under defence offset facilitation agency (DOFA)**

M/s. SFO Technologies Private Limited was granted LoP on 6<sup>th</sup> April, 2006 for setting up of unit in CSEZ for the manufacture/service of the following items:-

1. (a) Cable TV networking products, computer networking products, printed circuit board assemblies, communication equipments.  
(b) Repairing/Refurbishing/Reconditioning/Remanufacturing of PCBs
2. (a) Fibre optic coupler; fibre optic cable assemblies, optical assemblies, ROSA, TOSA, transmitter, receiver, DFBA, FBA and transponders.  
(b) Refurbishing/repairing/reconditioning/remanufacturing of non-functioning

- transponder, transceiver, transmitter & receiver
3. Cable assemblies
  4. Fibre optic mux/demux, fibre optic switch/FDDI, fibre optic attenuators, fibre optic enclosures.
  5. Mini oven, RF/microwave amplifiers, digital thermometer, PCB assembly, oscillators, EMI filters, flex coils, coils for MR, sub assemblies (co-axial cable assy, molded parts & harness), servicing of flex coil, coils for MR and sub-assemblies, thermal writer/printer, servicing of thermal writer/printer, design, engineering services, sub-assembly for probe-tester, spares/parts (Raw Materials) of all above mentioned items.
  6. Electronic products of various kinds, high level assemblies, box build electronic equipments, ATM, surveillance monitoring system, power conversion products, transformer assembly, battery charger, electronic counting machine, traffic monitoring system for use in healthcare, communication, industrial, automotive, aerospace, renewable energy, transportation, information technology, defense etc.
  7. Parts, sub assemblies & accessories of above mentioned items of manufacture
  8. Repairing/refurbishing/reconditioning/remanufacturing of items of manufacture
  9. Components and spare parts for the items of manufacture
  10. Test equipments and its parts, sub assemblies, accessories of various kinds
  11. Packing cartons
  12. Isolated switch mode driver

Unit has sought permission from DC, CSEZ to include printed circuit board assemblies, power supply, cable & wireharness, box build wired structure, metal enclosure in their Letter of Approval to enable supply to defence organizations under defence offset facilitation agency (DOFA). The detailed description of item, intended receiver, duration of agreement and the requirement of capital goods and raw material for the above are as follows:-

<b>1. Description of Items</b>	<b>Value in Rs. Lakhs</b>
Printed circuit board assemblies	300
Power supply	100
Box build wired structure	100
Metal enclosure	200
Cable & wireharness	50
Total	750
<b>2. Intended receiver</b>	Thales, France, Rafael, France, Israel Aerospace Industry, Israel
<b>3. Duration</b>	3 years
<b>4. Capital goods:</b>	
Flying probe 1 No.	Rs. 150 lakhs
<b>5. Raw materials &amp; components</b>	Rs. 400 lakhs

DC, CSEZ, has stated that since the proposal is for supply to defence units under defence offset Facilitation Agency (DOFA), approval of BoA is required for the same. The proposal is therefore, placed before the BoA for consideration.

**Item No. 45.32: Request of M/s. JSL Limited for submission of Bond/Bank Guarantee in respect of liability arising on cancellation of Form-I under the Central Sales Tax, 1956 in respect of liability pertaining to Entry Tax**

Sector specific SEZ for Stainless Steel, by M/s. JSL Limited, at Kalinga Nagar, Orissa, was notified on 28<sup>th</sup> November 2007 over an area of 142.115 hectares. The developer had requested for de-notification SEZ. The request was approved in the BoA meeting held on 16<sup>th</sup> September 2010 subject to DC certifying that the developer has refunded all the tax benefits availed under SEZ Act and Rules.

The developer has intimated that pursuant to the BoA's decision, the UAC has approved de-bonding of the SEZ unit subject to refund of duties. Further, it has already been assessed in respect of duty liability relating to customs, excise, service tax benefits availed as SEZ by the developer and the unit and the demand as raised by the Dy. Commissioner of Central Excise, Customs & Service Tax, Bhubaneswar – 1 (acting as the Specified Officer) has been fully paid. Moreover, NOC for de-notification of SEZ and de-bonding has also been issued by the Specified Officer. Thus, the unit has informed, that its liability under the Central enactments stands discharged. It has also been informed that the amount so paid, forms a substantial part of the benefits availed by them as a SEZ Developer and unit.

The developer has stated that benefits under Central Sales Tax Act, 1956 based on I-From and respect of entry tax have also been availed. Though the jurisdictional DC's office had requested Commissioner of Commercial Taxes, Government of Orissa to assess the CST benefit, the Commissioner has expressed a view that since the I-Forms have been issued in respect of goods the movement of which began from states other than Orissa, he has no authority under law to either verify or assess such duty. Accordingly, duty payment is required to be made to 11 States from where goods have been procured. Currently, there is no procedure prescribed for remitting such amounts under the SEZ provisions, and making payments in each individual State would be time consuming and tedious process.

The developer has also informed that as per the Hon'ble High Court Orissa's interim order dated 17.07.2008, it had been goods without payment entry tax. Further, in relation to the payment of entry tax for the various industries in the state of Orissa the Hon'ble Supreme Court of India vide its interim in order dated 03.02.2010 have ordered payment of one-third amount of entry tax due in the monthly returns

The unit has also stated that entry tax is not a refund of benefit availed as an SEZ developer/unit, since no such benefit is granted under any of the State act. Therefore, the issue as to discharge of the liability of entry tax is outside the parameter of the taxes of the taxes/duties to be refunded as a condition set out in the de-bonding approval.

In view of the above the developer has proposed to submit Bond/Bank guarantee of the assessed duty amount of CST of Rs. 6.4 crores in order to expedite the process in relation to de-notification. The developer, therefore, requested BoA to consider the case and allow the company furnished a bond/bank guarantee in respect of the amounts payable under CST in order to expedite the process and secure the revenue.

Since NOC for de-notification of SEZ and de-bonding has also been issued by the Specified Officer, DC FSEZ has agreed to consider accepting bond for equivalent amount with a bank guarantee and with a condition the bond will not be discharged till NOC is obtained from respective States.



The request is placed before the BoA for consideration

**Item No. 45.33: Request of M/s. Hansen Drives Limited for grant of approval for undertaking repair/reconditioning etc. of defective gear box units manufactured by third party (Indian and overseas) manufacturers**

M/s. Hansen Drives Ltd. was issued LoA on 25.09.2007 in the sector specific SEZ for Hi-tech Engineering sector developed by M/s. Suzlon Infrastructure Ltd. For the manufacture and rendering services for Gear Units for Wind Turbines. In the meeting held on 23<sup>rd</sup> February 2009, BoA had granted approval to the unit for undertaking repair of the gear units manufactures by it and its parent company (Hansen Transmission International, Belgium). BoA, however, had rejected the request of the unit for undertaking repair of gear boxes manufactured by any third party – Indian and overseas manufacturer and for sending the repaired gear boxes back to the customers located in DTA. The unit has once again requested for grant of approval for:-

- (a) undertaking repair/re-engineering activities of gear boxes (manufactured by an overseas manufacturer) received from DTA and sending it back to DTA after completion of repair/re-engineering activities; and
- (b) undertaking repairs of gear boxes (manufactured by any DTA manufacturer) received from DTA and sending the gear units manufactured by third party manufacturers (domestic and overseas) and sending it back to DTA after completion of repair/re-engineering activities

The request was considered in the BoA meeting held on 18<sup>th</sup> November 2010 and was deferred for clarifications by the unit on the likely quantum of gear boxes from various sources which will be repaired/ serviced, the methodology of payment for the services and the issue relating to payment of duty in respect of gear boxes coming in from DTA. On receipt of information from the unit the matter was once again considered by the BoA in its meeting held on 14<sup>th</sup> January 2011 wherein it was decided that DC MEPZ and the Zonal Customs Authorities will visit the premises of the unit and try and assess the issue and present a report to the Board for its consideration to find a possible solution. The Board, accordingly, deferred consideration of the proposal. The report in the matter has since been received from DC, MEPZ and is at **Annexure - 7**. Accordingly, the matter is placed before the BoA for consideration.

**Item No. 45.34: Appeals before BoA**

**(i) Appeal of M/s. Erba Diagnostics Mannheim GmbH against rejection of the request for setting up a unit, in SEEPZ Special Economic Zone, Mumbai (Deferred in the BoA meeting held on 14<sup>th</sup> January 2011)**

M/s. Erba Diagnostics Mannheim GmbH had submitted application for setting up a unit in SEEPZ SEZ for manufacturing an export of medical instruments viz Blood Testing Analysers and Spare Parts and Accessories. The request of M/s. Erba Diagnostics Mannheim GmbH was considered by the Approval Committee in its meeting held on 26.03.2010 and was rejected as committee noted that the promoter has been penalized under FT (D&R) Act

for violation. The decision of the Approval Committee was conveyed vide letter dated 12.04.2010.

Aggrieved by the decision of the Approval Committee, M/s. Erba Diagnostics Mannheim GmbH had preferred an appeal before the BoA. The Board considered the appeal. The appellant was not present. The Board after taking into account the recommendations made by DC SEEPZ, rejected the appeal.

M/s. Erba Diagnostics Mannheim GmbH later had made a representation stating that its appeal was rejected for non-appearance of the Appellant on account of some confusion even when the authorized representative was present there. Therefore, they have requested that they may be given an opportunity to present their case before the BoA. The appeal was placed before the BoA in its meeting held on 14<sup>th</sup> January 2011. The representative of the appellant appeared before the BoA and sought deferment till the next meeting of the BoA. Accordingly, the appeal was deferred.

The appeal is once again placed before the BoA for consideration.

**(ii) Appeal of M/s. Polychem Adhesives Private Limited, a unit in Surat SEZ, against rejection of its request for extension of the validity of its LoP (Rejected in the BoA meeting held on 14<sup>th</sup> January 2011)**

M/s. Polychem Adhesives Private Limited was granted LoP on 21.07.2005 for setting up a unit in Surat SEZ for manufacturing Textile auxiliaries, Finishing Chemicals etc., Adhesive & Chemicals thereof. The validity of the LoP was extended from time to time by DC, Surat SEZ. The last extension was valid up to 31.03.2010. The unit had requested DC, Surat SEZ for extension of the validity of the LoP up to 31.12.2010. The DC vide letter dated 08.09.2010 had not granted further extension as the unit had not commenced production/authorized operation within the validity period or the extended validity period as required under Rule 19(4) of the SEZ Rules. It was also communicated to the unit that the LoP stands lapsed w.e.f. 31.03.2010, as per the provisions of rule 19(5) of the SEZ rules.

Aggrieved by the above decision, M/s. Polychem Adhesives Private Limited has preferred an appeal before the BoA for extension of LoP beyond 31.3.2010. The appeal was considered in the BoA meeting held on 14<sup>th</sup> January 2011 and was not allowed and the Board noted that despite given adequate time, the unit in Surat SEZ had not taken sufficient steps to inspire any confidence that they will start manufacturing and start commencing exports. Further, the representative of the unit had also not turned up to defend the appeal.

The unit has, now, requested the Board to re-consider its decision and grant extension of validity unto 31<sup>st</sup> December, 2011 for the following reasons:-

- (i) Its appeal has been rejected without any personal hearing and without giving it an opportunity to explain the case.
- (ii) It has taken concrete steps to start commercial production and has already completed more than 75% of the project activity and invested about Rs. 20 lakhs towards the project out of the estimated cost of Rs. 27 lakhs.
- (iii) It will complete the execution of the project within the extended validity period and will not seek further extension
- (iv) Rule 19(4) of SEZ Rules, 2006 have been amended vide notification dated 10.11.2010 empowering the BoA to grant further extension of the validity of

the LoP of a unit, beyond fourth year (one year, at a time) on the request of the entrepreneur. Consequent upon issue of this amendment the BoA has been extending the validity of the SEZ units beyond 4<sup>th</sup> year.

The request of the unit for review of the BoA's decision on its appeal is placed before the BoA for consideration

**(iii) Appeal of M/s. Marval India, a unit in Surat SEZ, against rejection of its request for extension of the validity of its LoP (Rejected in the BoA meeting held on 14<sup>th</sup> January 2011)**

M/s. Marvel India was granted LoP on 24.03.2006 for setting up a unit in Surat SEZ for manufacturing Textile Machineries (Water Jet) and Mechanical Components (Auto components). The validity of the LoP was extended from time to time by DC, Surat SEZ. The last extension was valid up to 23.03.2010. The unit had requested DC, Surat SEZ for further extension of the validity of the LoP. The DC vide letter dated 28.04.2010 had not granted further extension as the unit had not commenced production/authorized operation within the validity period or the extended validity period as required under Rule 19(4) of the SEZ Rules. It was also communicated to the unit that the LoP stands lapsed w.e.f. 23.03.2010, as per the provisions of rule 19(5) of the SEZ rules.

Aggrieved by the above decision, M/s. Marvel India has preferred an appeal before the BoA for further extension of LoP beyond 23.03.2010. The appeal was considered in the BoA meeting held on 14<sup>th</sup> January 2011 and was not allowed and the Board noted that despite given adequate time, the unit in Surat SEZ had not taken sufficient steps to inspire any confidence that they will start manufacturing and start commencing exports. Further, the representatives of the unit had also not turned up to defend the appeal.

The unit has requested the Board to re-consider its decision and to grant extension of validity up to 31<sup>st</sup> December, 2011 of the following reasons:-

- (i) Its appeal has been rejected without any personal hearing and without giving it an opportunity to explain the case.
- (ii) It has taken concrete steps to start commercial production and has already completed more than 75% of the project activity and invested about Rs. 105 lakhs towards the project
- (iii) It will complete the execution of the project within the extended validity period and will not seek further extension.
- (iv) Rule 19(4) of SEZ Rules, 2006 have been amended vide notification dated 10.11.2010 empowering the BoA to grant further extension of the validity of the LoP of a unit, beyond fourth year (one year, at a time) on the request of the entrepreneur. Consequent upon issue of this amendment the BoA has been extending the validity of the SEZ units beyond 4<sup>th</sup> year.

The request of the unit for review of the BoA's decision on its appeal is placed before the BoA for consideration.

**(iv) Appeal of M/s. Hansen Drives Limited, a unit in Synefra Engineering & Construction Limited SEZ, Tamil Nadu, against the order of DC, MEPZ, rejecting its request for broad banding of LoP to include trading activity as part of authorized operations**

M/s. Hansen Drives Ltd. was issued LoA on 25.09.2007 in the sector specific SEZ for Hi-tech Engineering sector developed by M/s. Suzlon Infrastructure Ltd. for the manufacture and rendering services for Gear Units for Wind Turbines. The LoA was subsequently amended to undertake repair/re-engineering and reconditioning of gear box manufacture and also to include services relating to trading in spare parts of gear box units for wind turbines. The unit has requested DC MSEZ for approval to import fully assembled Gearbox units for sale to local customers on payment of duties and taxes (trading activity). The request was considered in the meeting of UAC held on 24<sup>th</sup> December 2010 and was not agreed to as the UAC felt that the unit has already in permitted for “Repair/re-engineering activity of manufactured Gear box of Hansen Drives Limited. Hansen Transmission (Parent Company) & its affiliates” and it is difficult to differentiate between the Gear box units and components brought for Trading and Repair/Reengineering activity. The decision of the UAC was conveyed to the unit vide letter dated 04.01.2011.

Now, aggrieved by the decision of the UAC, the unit has preferred an appeal before the BoA for approval for inclusion of Trading as a broad banding service for the authorized operations. The brief facts of the case along with the grounds on which appeal has been filed as furnished by the unit is at **Annexure - 8**.

Report of DC, MEPZ has been received in the matter. The DC has informed that the unit was visited as per BoAs directions in another matter related to the unit and the procedure for establishing the identity between the manufactured gear box and that of tradable one was verified. Further, as the name of the manufacturer, model and serial number are affixed in every gear box, the identification of a ‘gear box’ to its origin etc may not be difficult. Therefore, DC MEPZ has no objection in granting of trading permission. The report of the DC is at **Annexure - 9**.

The appeal is placed before BoA for consideration.

**(v) Appeal of M/s. SE Electricals Ltd. against the order of Development Commissioner, MPEZ SEZ rejecting its request for removal of waste and scrap in DTA which were arisen out of repair/re-engineering and reconditioning of generators/control panels at appellants factory**

M/s. SE Electricals Ltd. was granted LoP on 18th September 2007 for setting up a unit in sector specific SEZ for Hi-tech Engineering sector developed by M/s. Synefra Engineering and Construction Limited at Coimbatore, Tamil Nadu, to undertake manufacture of generator & control panels, parts of windmill. The LoA was subsequently broad banded to undertake repair/re-engineering and re-conditioning of generators/control panels manufactured by SE Electricals Limited for by its parent company. The unit started its commercial production in September 2008 and has made investment of Rs. 160 crores as on 31<sup>st</sup> May 2009. The unit had requested DC MEPZ for removal of waste and scrap in DTA which were arisen out of repair/re-engineering and reconditioning of generators/control panels at its factory premises. The unit has stated that DC MEPZ has rejected its request by substantiating that there is no provision in SEZ Rules to grant permission for clearance of

scrap (generated out of imported defective generators) in to DTA on payment of duty. The decision was communicated to unit vide letter dated 03.02.2011.

Now, aggrieved by the decision of the, the unit has preferred an appeal before the BoA for approval to clear waste & scrap in DTA freely when arisen during the course of undertaking repair activities of Generators/Control panels at the Unit's premises. The brief facts of the case along with the grounds on which appeal has been filed as furnished by the unit is at **Annexure - 10**.

The appeal is placed before BoA for consideration.

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