

**Agenda for the 39th meeting of the Board of Approval to be held on
9th April 2010 at 10.30 AM in the Room No. 47, Udyog Bhawan**

Item No. 39.1: Proposals for setting up of SEZs

S. No	Name of the Developer	Location	Sector	Area (in ha)	Land Possession	SGR*	Status of application
i.	M/s Indus Gene Expressions Limited	Kodur and Settipalli villages, Chilamathur Mandal, Ananthapur District, Andhra Pradesh	Biotech	10.53	Yes	Yes	New
ii	M/s Cochin International Airport Ltd.	Angamali villages, Ernakulam, Kerala	Airport Based SEZ	100	Yes	Yes	<i>Deferred in BoA meeting 11.8.09. Included for consideration of BoA on the report of DC CSEZ (Annexure -1)</i>
iii	M/s. Shantha Biotechnics Limited	Muppireddipally village, Toopran Mandal, Medak District, Andhra Pradesh	Biotech and related activities	10.12	Yes	Yes	New
iv	M/s Suchirindia Infrastructure Private Limited	Turkapally village, Shameerpet Mandal, Ranga Reddy District, Andhra Pradesh	Biotechnology	13	Yes	Yes#	New
v	M/s Larsen & Toubro Limited	KIADB Industrial Area, Hebbal – Hootagally, Mysore, Karnataka	IT/ITES	10	Yes	Yes	New
vi	Lanco Solar Private Limited	Mahroomkala, Mahroomkurd and Chaveli villages, Rajnandgaon District, Chhattisgarh	Solar SEZ	101	No [^]	Yes	New

*State Government's Recommendation

#For grant of in-principle approval

[^] The Government of Chhattisgarh while recommending the proposal for grant of formal approval has intimated that the 250 Acres of land is being transferred to the developer and all the formalities for transfer of the land shall stand concluded by the end of March.

Item No. 39.2: Proposals for conversion of in-principle to formal approval

S. No.	Developer	Location	Sector	Area (in ha.)	Remarks
i	Sterlite Industries (India) Ltd.	TV Puram, Tuticorin, Tamil Nadu	Copper	128	In-principle approval was granted in the meeting of BoA on 15.12.2009 for an area of 197 hectare. The developer has now requested for grant of formal approval for an area of 128 hectares. The State Government has recommended for grant of formal approval subject to certain conditions (Annexure-2)

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

A consolidated list of default authorized operations which can be undertaken by the developer/co-developer by default from the date of notification has been issued in the form of instruction no. 35, vide this Department's letter no. C.8/4/2009-SEZ dated 4th September 2009 (**Annexure-3**). Development Commissioners/ Unit Approval Committee were advised to allow the Developers/approved Co-Developers duty free material for these default authorized activities from the date of notification of the SEZ.

To ensure speedy development of infrastructure of the SEZs and to simplify approvals, a need was felt to expand the list of default authorized operations. Therefore, a revised consolidated list of default authorized operations was issued, in the form of instruction no. 50, vide this Department's letter No. F.5/1/2010-SEZ dated 15th March 2010 (**Annexure-4**). The authorized operations which have been included in the default list are:-

- (i) Office space for State Governments staff.
- (ii) Employee's restroom in processing area
- (iii) Space for ATMs
- (iv) Warehouses
- (v) Cafeteria/ Canteen for staff in processing area
- (vi) Weigh Bridges
- (vii) Library
- (viii) Fuel storage and distribution system
- (ix) Police Station buildings and equipments

Besides above the following authorized operations which were earlier not available to all types of SEZ, by default, have been made default operations for all types of SEZs:-

- (a) Air conditioning of processing area
- (b) Fire Station Buildings
- (c) Power (including power back up facilities) for captive use only
- (d) Construction of all type of Buildings in processing area
- (e) Access control and Monitoring system
- (f) Space for Banks

This is submitted for information/ratification of the Board of Approval.

Item No.39.4: Requests for co-developers

(i) Request of M/s. Progressive Techmart IT Services Private Limited for co-developer in the sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited

Sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited was notified on 15th May 2008, over an area of 10.0498 hectares. M/s. Progressive Techmart IT Services Private Limited has submitted a proposal for becoming a co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or for the purposes connected therewith, for use by the prospective units, over an area measuring 1.7015 hectares of the above SEZ. Co-developer agreement dated 30th November 2009 between the

developer and co-developer has been provided. The request of the co-developer is submitted for consideration of BoA.

(ii) Request of M/s. Aachvis IT SEZ Infra Private Limited for co-developer in the sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited

Sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited was notified on 15th May 2008, over an area of 10.0498 hectares. M/s. Aachvis IT SEZ Infra Private Limited has submitted a proposal for becoming a co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or for the purposes connected therewith, for use by the prospective units, over an area measuring 1.4275 hectares of the above SEZ. Co-developer agreement dated 30th November 2009 between the developer and co-developer has been provided. The request of the co-developer is submitted for consideration of BoA.

(iii) Request of M/s. Multitask Information Technologies Private Limited for co-developer in the sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited

Sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited was notified on 15th May 2008, over an area of 10.0498 hectares. M/s. Multitask Information Technologies Private Limited has submitted a proposal for becoming a co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or for the purposes connected therewith, for use by the prospective units, over an area measuring 1.0700 hectares in the above SEZ. Co-developer agreement dated 30th November 2009 between the developer and co-developer has been provided. The request of the co-developer is submitted for consideration of BoA.

(iv) Request of M/s. Standard IT Web Solutions Private Limited for co-developer in the sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited

Sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited was notified on 15th May 2008, over an area of 10.0498 hectares. M/s. Standard IT Web Solutions Private Limited has submitted a proposal for becoming a co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or for the purposes connected therewith, for use by the prospective units, over an area measuring 0.5322 hectares in the above SEZ. Co-developer agreement dated 30th November 2009 between the developer and co-developer has been provided. The request of the co-developer is submitted for consideration of BoA.

(v) Request of M/s. AS Multimedia Solutions Private Limited for co-developer in the sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited

Sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited was notified on 15th May 2008,

over an area of 10.0498 hectares. M/s. AS Multimedia Solutions Private Limited has submitted a proposal for becoming a co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or for the purposes connected therewith, for use by the prospective units, over an area measuring 1.0048 hectares in the above SEZ. Co-developer agreement dated 30th November 2009 between the developer and co-developer has been provided. The request of the co-developer is submitted for consideration of BoA.

(vi) Request of M/s. Three C Facility Management Private Limited for co-developer in the sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited

Sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited was notified on 15th May 2008, over an area of 10.0498 hectares. M/s. Three C Facility Management Private Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ **for operation and maintenance** of equipment, services and common areas of the SEZ. Co-developer agreement dated 27th November 2009 between the developer and co-developer has been provided. The request of the co-developer is submitted for consideration of BoA.

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

Sector specific SEZ for IT/ITES at Plot No. 28 Rajiv Infotech Park, Plot No. 28, MIDC, Hinjawadi, Ph. II, Pune, Maharashtra, being developed by M/s. DLF Akruiti Info Parks (Pune) Limited was notified on 14th September, 2007 over an area of 10.33 hectares. M/s. DLF Utilities Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for setting up a co-generation plant to install and commission gas turbine based power generating sets by setting up energy centres to provide electricity at a single source and generate chilled water using vapour absorption machines, in the processing of the area said SEZ. It has been stated that the plant would be set up the total built up area of 9600 sqm. of basement area is for setting up the plant. Co-developer agreement dated 19th February 2010 between the developer and co-developer has been provided. The request of the co-developer is submitted for consideration of BoA.

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

Multi Product SEZ at Dwarkapuram village, Naidupet Mandal, Nellore District, Andhra Pradesh being developed by Andhra Pradesh Industrial Infrastructure Corporation Ltd. was notified, on 16th February 2009 over an area of 1032.27 hectares. M/s. Greentech Industries (India) Private Limited has submitted a proposal for co-developer in the aforesaid SEZ for development of complete infrastructure over an area of 85.02 hectares. Co-developer agreement dated 23rd December 2009 between the developer and co-developer has been provided. The request of the co-developer is submitted for consideration of BoA.

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

Sector specific SEZ for IT/ITES at Village Nellikode, District Kozhikkode, Kerala, being developed by M/s. Uralungal Labour Contract Co-operative Society Limited was notified on 23rd February 2010, over an area of 10.162 hectares. M/s. ULCCS IT Infrastructure Private Limited a fully owned subsidiary of the developer has submitted a proposal for becoming a co-developer in the aforesaid SEZ for development of IT infrastructure together with relevant amenities in the SEZ. Co-developer agreement dated 5th January 2010 between the developer and co-developer has been provided. The request of the co-developer is submitted for consideration of BoA.

Item No. 39.5: Requests for Authorized Operations

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

Sector specific SEZ for chemicals in District Bharuch, Gujarat by M/s Jubilant Infrastructure Limited was notified on 11th February 2008 over an area of 107.16.50 hectares. The developer had requested for the following authorized operations in the processing area:-

S. No.	Authorised operations	Area (in sq. meter)
1.	Steam Generation Plant with Coal fired Boiler along with all necessary accessories & its Distribution System	8000 <i>Capacity – 25 TPH</i>
2.	Weigh Bridges with all accessories & its office cabins	160 <i>Capacity – 4 nos. x 80 T or 100 T</i>
3.	Ammonia Storage Tanks with all accessories	7200 <i>Capacity – 2 nos x 60 MT (water volume)</i>
4.	Incinerator Plant with all necessary equipments along with critical items and accessories for the treatment of Industrial wastes such as Solid, Liquid and Gaseous waste, etc.	900 <i>Solid waste – 1200 kg/day, Liquid waste – 125 ,3/day and gaseous waste – 26000 nm3/hr</i>

The request of the developer was considered by the BoA at the 37th BoA meeting held on 15th December, 2009. The minutes of the BoA meeting relating to the request is reproduced below:-

“The Board noted that there are issues which require to be examined to appreciate whether the operations are in the nature of infrastructure or chargeable services. Accordingly, it was decided to defer the proposal and the BoA Secretariat will examine the proposal on file for a decision.”

In the meantime the developer has now requested to change the nomenclature of “Ammonia Storage Tank” to High Pressure Liquid Storage Tank without changing the quantum. Developer has also requested for additional tanks. Therefore the complete details of the authorized operation proposed to be carried out by the developer are as under:-

S. No.	Authorised operations	Area (in sq. meter)
1.	Steam Generation Plant with Coal fired Boiler along with all necessary accessories & its Distribution System	8000 Capacity – 25 TPH
2.	Weigh Bridges with all accessories & its office cabins	160 Capacity – 4 nos. x 80 T or 100 T
3.	High Pressure Liquid Storage Tank with all accessories	7200 Capacity – 2 nos x 60 MT (water volume)
4.	Incinerator Plant with all necessary equipments along with critical items and accessories for the treatment of Industrial wastes such as Solid, Liquid and Gaseous waste, etc.	900 Solid waste – 1200 kg/day, Liquid waste – 125 ,3/day and gaseous waste – 26000 nm3/hr
5.	Liquid Storage Tanks	1000 Capacity – 2 nos x 250 m3 MT
6.	Liquid Storage Tanks	1000 Capacity – 2 nos x 30 m3 MT

The request is placed before the BoA for re-consideration in view of the following:-

- (i) the authorized operations appear to be in the nature of infrastructure/industrial facility
- (ii) BoA in its previous meeting has approved similar requests as authorized operations.
- (iii) As per Clause 2 (p) of the SEZ Act “infrastructure facilities” also includes commercial facilities necessary for the development of a SEZ.

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

The request of the developer for the following authorized operations in the non-processing area was deferred in the BoA meeting held 15th December 2009 as the Board considered preferable to have a total picture of the requirement and accordingly, DC SEEPZ was requested to submit a comprehensive report.:-

S. No	Authorized Operations	Area (in sq. meters)
1.	Housing and residential apartments: Type A consisting of 10 Towers with total 420 Dwelling Units	22260
2.	Housing and Residential Apartments: Type B consisting of 1 Tower with total 42 Dwelling Units	2013.55
3.	Housing and Residential Apartments: Type C consisting of 15 Towers with total 420 Dwelling Units	25210.50

The report of the DC has since been received (**Annexure-5**). The request of the developer is placed before the BoA for re-consideration.

(iii) Request of M/s. DB Hospitality Pvt. Ltd. for authorized operations as co-developer in the multi product SEZ at Mundra village & Taluka, Kutch – District, Gujarat, developed by Mundra Port and Special Economic Zone Limited.

Multi Product SEZ at Mundra village & Taluka, Kutch – District, Gujarat, by M/s. Mundra Port and Special Economic Zone Limited was notified on an area of 6472.8684 hectares. M/s. DB Hospitality Pvt. Ltd. has been approved as a co-developer in the aforesaid SEZ. The co-developer has requested for the following authorized operation in the **non-processing area**:-

S. No.	Authorised operations	Area (in sqm)
1.	Four Star Category Hotel	6688 (152 rooms with an average built up space of 44.00)
	The Hotel will have the following support facility	
a)	Swimming Pool	180
b)	Health Club	100
c)	Gymnasium	500
d)	Business Center	300
e)	Banquet Rooms	600
f)	Restaurant & Liquor Bar	500
g)	Entrance Lobby	380.26

(iv) Request of M/s DLF Cyber City Developers Limited for authorized operations in the IT/ITES SEZ at DLF Cyber City District, Gurgaon, Haryana

IT/ITES SEZ at DLF Cyber City District, Gurgaon, Haryana by M/s DLF Cyber City Developers Limited was notified on 13.4.2007 over an area of 10.73 hectares. The developer has requested for following authorized operations in the **non-processing area**:-

S. No	Authorized Operations	Area (in sq. meters)
1.	Commercial Complex/Office space	32000

The above request was also covered in the BoA meeting held on 15th December 2009. However, the approval was granted only for an area of 15000 sqm. The developer has given a detailed justification for approval of an area of 32000 sqm instead of 15000 sqm. The request of the developer is at **Annexure-6**. The request of the developer is placed before BoA for consideration.

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

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

Solar Photo Voltaic SEZ at Kanayannur, Ernakulam District, Kerala by M/s. Carborundum Universal Limited was notified on 17th November, 2009 over an area of 10 hectares. The developer has requested for broad banding of sector stating that some potential business group who are not related to solar energy, but associated with some other non

conventional energy sectors like wind energy etc. are looking for business opportunities for setting up of units in the said SEZ. The present nomenclature of the sector constrains leasing of land to such entrepreneurs. The developer has therefore, requested for re-designating the sector from 'Solar Photovoltaic' to 'Non conventional Energy including Solar Photovoltaic'. The DC CSEZ has recommended the request stating that the revised sector fulfils the minimum land area requirement. The request of the developer is submitted for consideration of BoA

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

IT/ITES SEZ at Bangalore, Karnataka was notified on 10th April, 2007 over an area of 10.87 ha. The developer has stated that, since the Rule 5(2)(b) of the SEZ Rules 2006 allows an applicant to apply for a sector specific SEZ set up exclusively for Electronic Hardware and Software including ITES, provided the area for setting up the said SEZ is ten hectares or more with a minimum built up processing area of one lakh square meters, they wish to have the status of their sector specific SEZ modified from 'IT/ITES SEZ' to 'electronics hardware and software, including ITES SEZ. The developer has, therefore, requested to change the approval from IT/ITES to Electronic Hardware and Software including IT/ITES. The request of the developer is submitted for consideration.

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

IT/ITES SEZ at Gurgaon, Haryana was notified on 17th April, 2007 over an area of 23.429 ha. The developer has stated that since the Rule 5(2)(b) of the SEZ Rules 2006 allows an applicant to apply for a sector specific SEZ set up exclusively for Electronic Hardware and Software including ITES, provided the area for setting up the said SEZ is ten hectares or more with a minimum built up processing area of one lakh square meters, they wish to have the status of their sector specific SEZ modified from 'IT/ITES SEZ' to 'electronics hardware and software, including ITES SEZ. The developer has, therefore, requested to change the approval from IT/ITES to Electronic Hardware and Software including IT/ITES. The request of the developer is submitted for consideration.

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

Formal approval granted to M/s. Opto Circuits (India) Limited for development of sector specific SEZ for Electronic Hardwar at Nanjangud, Mysore District, Karnataka over an area of 12.23 hectares vide LoA dated 21st August 2007. The SEZ is yet to be notified. The developer wishes to include the activities of IT and ITES in the present sector as these activities are complementary to each other. The developer has, therefore, requested to change the approval from "Electronic Hardware" to "Electronic Hardware including IT/ITES". The request of the developer is submitted for consideration.

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

(i) Request of M/s. Neogen Properties Private Limited for de-notification of a portion of land in the notified sector specific SEZ for Apparel at Hindupur, Dist. Anantapur, Andhra Pradesh

Sector specific SEZ for Apparel at Hindupur, Dist. Anantapur, Andhra Pradesh being developed by M/s. Neogen Properties Private Limited was notified on 13th June 2007 over an area of 141.65 hectares. Now, the developer has requested to de-notify an area of 40.80 hectares from the already notified area making size of the SEZ to 100.84 hectares. The developer has stated that DTA location is being preferred by the exporters as they find DEPB Scheme more beneficial as it gives them greater flexibility whereas operating from SEZ confines them to export obligations. This has resulted in SEZ facility lying idle. The developer has further stated that considering the demand for domestic operations of textile/apparel industry, the company has decided to cater the demand by de-notifying portion of SEZ. The developer has certified that area of the SEZ after the proposed de-notification would be contiguous. It has also been stated that no units are operating in the SEZ. The developer has also stated that they have not availed any duty benefits. Map indicating proposed area for de-notification has also been furnished (**Annexure -7**). The request of the developer for de-notification of portion of land is placed before BoA for consideration.

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

Sector specific SEZ for Petrochemicals and Petroleum at Baikampady, near Dakshina Kannada District, Karnataka being developed by M/s. Mangalore SEZ Limited was notified on 6th November 2007 over an area of 587.921 hectares. Now, the developer has requested to de-notify an area of 5.64 hectares from the already notified area making size of the SEZ to 581.281 hectares. The developer has stated that the de-notified land will be leased to Karnataka Power Transmission Company Limited (KPTCL), for setting up of a 220 KV sub-station, to provide power for the SEZ. The detailed justification of the developer can be seen at **Annexure-8**. The request of the developer for de-notification of portion of land is placed before BoA for consideration.

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

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

IT/ITES SEZ at Sholinganallur, Tambaram Taluk, Kancheepuram District, Tamil Nadu being developed by M/s. NSL (SEZ (Chennai) Pvt. Ltd. was notified on 3rd May, 2007 over an area of 18.604 hectares. The developer has requested for de-notification of an area of 13.08.4 hectares and also addition of an area admeasuring 5.72.1 hectares in the SEZ area, thereby making the size of the SEZ to 11.24.1 hectares. It is submitted that due to certain objections received with regard to the notified land, the developer was advised to apply for reduction in area of the notified SEZ to exclude the disputed land, which is under litigation, from the SEZ. This is the main reason for denotification of an area of 13.08.4 hectares

above from the SEZ. The developer have stated that even after the realignment of the SEZ as mentioned above, the minimum land requirement will be met. The developer has furnished copies of Sale deed in support of possession/ownership of the additional parcel of land.

The request was considered in the meeting of BoA held on 15th December 2009 as deferred as the DC, MEPZ indicated that there are issues connected with the developer acquiring additional land including some RTI applications and hence, he was not in a position to make a clear recommendation. The DC IT/ITES has since submitted a report in the matter (**Annexure-9**).

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

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

The above mentioned Association had preferred a representation/appeal (**Annexure-10**) praying cancellation of this Department's Notification dated 3.5.2007 notifying the specific SEZ for IT/ITES at Shollinganallur, Tambaram Taluk, Kancheepuram District, Tamil Nadu being developed by M/s. NSL SEZ (Chennai) Pvt. Ltd. The representation/appeal was examined and disposed off stating that the matter will be duly examined only on final decision in the matter by the Hon'ble High Court (**Annexure-11**).

The Association not satisfied with the reply had filed writ petition for mandamus in the High Court of Madras for directing the first applicant i.e. BoA to dispose off the above mentioned appeal/representation. The Court vide order dated 8th March 2010 has directed the BoA to dispose of the appeal within a period of 8 weeks. A brief background of the case is at **Annexure-12**.

Item No. 39.9: Request for de-notification

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

Sector specific SEZ for IT/ITES at Mount Poonamallee High Road, Iyyapanthangal, Porur, Chennai, Tamil Nadu developed by M/s. Estra IT Park Private Limited was notified on 10th March 2008 over an area of 10.194 hectares. Now, the developer has requested for de-notification of the SEZ stating that due to the present gloomy economic situation and market conditions, they are witnessing a total lack of demand for space for IT/ITES. Further, various IT parks that are already constructed are struggling to find occupants in spite of substantial reduction in the expected rentals. It has been stated that in view of the present scenario the management has decided not to proceed with SEPZ project and has decided diversify into other investment opportunities, which can be best utilized. The developer has also undertaken to pay the duty benefits availed under the SEZ Act and Rules. The request of the developer for de-notification is placed before BoA for consideration.

(ii) Request of M/s. Unitech Infopark Limited for de-notification of the notified sector specific SEZ for IT/ITES at Village Nallambakkam, Taluk Chengalput, Kancheepuram, Chennai, Tamil Nadu

Sector specific SEZ for IT/ITES at Village Nallambakkam, Taluk Chengalput, Kancheepuram, Chennai, Tamil Nadu developed by M/s. Unitech Infopark Limited was notified on 10th July 2008 over an area of 10.17.5 hectares. Now, the developer has requested for de-notification of the SEZ citing global economic melt-down and disappearance of actual user from the market as the reason. DC MEPZ has intimated that the developer has not availed any duty exemption/benefits. DC has however, informed that the developer has not paid cost recovery charges for the authorized officers posted in the zone. The DC has therefore, stated that before de-notification the developer may be asked to clear dues to DC MEPZ – SEZ. The request of the developer for de-notification is placed before BoA for consideration.

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

Sector specific SEZ for power at Warora, Chandrapur District, Maharashtra being developed by M/s. Wardha Power Company Private Limited (WPCL) was notified on 3rd September, 2008 over an area of 101.47 hectares. The developer has stated that the SEZ was conceived and proposed considering the off take of 270 MW of power by M/s Viraj Profiles Limited (VPL), a leading exporter of profiles for consumption by their new manufacturing facility of 1 MTPA to be located as an SEZ/EOU at Wada, Maharashtra. However, due to global recession VPL has informed the developer that their SEZ/EOU facility is unlikely to come up in near future. Further, the existing power requirement of VPL as an EOUE at 50 MW is very minimal, about 10% of the 540 MW power plant being set up as an SEZ. In view of the above the developer has requested for de-notification of the SEZ. The developer has undertaken to refund all the tax benefits availed under SEZ Act/Rules. The request of the developer for de-notification is placed before BoA for consideration.

Item No. 39.10: Withdrawal of approval

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

M/s. DSK SEZ Projects (Pune) Pvt. Ltd. was granted formal approval for setting up sector specific SEZ for multi services at Village Fursungi Haveli District Pune, Maharashtra, on the basis of recommendations of the BoA meeting held on 8th December 2008. The LoA was issued on dated 27th February 2009. The SEZ is not yet notified.

Earlier the developer had requested for change of sector from “multi services” to “IT/ITES” and also reduction in area from 101.2 Ha to 17.81 Ha, citing overall economic scenario and difficulties in planning a large scale project as the reasons for making the request. The request of the developer was considered in the BoA meeting held on 11th February, 2010 wherein the DC SEEPZ had reported various issues regarding contiguity etc and had even recommended this Department to review the formal approval granted to the

developer. Accordingly, the Board had rejected the request of the developer for reduction in area and change of sector.

Now, the developer has himself sought withdrawal of formal approval granted for development of the above mentioned SEZ stating that the company does not wish to continue with the SEZ project even with the area as proposed area as requested earlier. The request of the developer is placed for consideration of BoA.

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

M/s. Hebe Infracon Private Limited was granted formal approval for setting up of sector specific SEZ Electronic Hardware, Software & IT/ITES at Thirupalya and Maragandanahalli villages, Anekal Taluk, Bangalore Urban District, Karnataka, over an area of 10.265 hectares, vide LoA dated 3rd September, 2008. Now, the developer has submitted that due to the due to global recessionary trends the shareholders as well as Board of Directors feel that it will not be financially feasible to develop the project. The developer has, therefore, requested for withdrawal of formal approval. The developer has also stated that no fiscal benefits have been availed till date and also that no agreements have been entered into with any prospective unit. The request of the developer is placed for consideration of BoA.

Item No. 39.11: Requests for first extension of validity of formal approvals

In earlier meetings of BoA, 119 cases have already been granted extension for one year. The Following 16 cases have been received for grant of extension of validity of formal approval. These cases are also placed for consideration of BoA for grant of extension for one year.

(i) Request of M/s. Mangalore SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Petrochemicals and Petroleum at Baikampady, near Mangalore, Dakshina Kannada District, Karnataka, beyond 29th July 2010

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

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

(iv) Request of M/s. Mohan Investments & Properties Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Shijra Kila Bandi, village/Tehsil- Badshahpur, Dist. Gurgaon, Haryana beyond 25th July 2010

(v) Request of M/s. True Developers Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware

including IT/ITES at Arasur village, Palladam Taluk, Coimbatore, Tamil Nadu beyond 29th July 2010

(vi) Request of M/s. RNA Builders for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Ghodbunder, Mira Road, Taluka & District Thane, Maharashtra beyond 29th July 2010

(vii) Request of M/s. Ajanta Projects (India) Ltd. for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for **Non-conventional Energy including Solar Energy equipment** at Auarangabad, Maharashtra beyond 25th July 2010

(viii) Request of M/s. Ajanta Projects (India) Ltd. for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for **Pharmaceuticals** at Shendra, Auarangabad, Maharashtra beyond 25th July 2010

(ix) Request of M/s. Lodha Dewellers Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at village Narivalli, Taluka & District Thane, Maharashtra beyond 2nd May 2010

(x) Request of Gujarat Industrial Development Corporation for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at village Manjusar, District Vadodara, Gujarat beyond 22nd June 2010

(xi) Request of M/s. HCL Technologies Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Jigani Industrial Area, Attibele Taluk, Bangalore, Karnataka, beyond 23rd August 2009. **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.**

(xii) Request of Hyderabad Metropolitan Development Authority (HMDA) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Kokapet village, Serilingampalli Mandal, Ranga Reddy District, Hyderabad, Andhra Pradesh beyond 22nd October 2009. **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.**

(xiii) Request of M/s. Parsvnath SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Sahastra Dhara Road, Dehradun, Uttarakhand beyond 24th October 2009. **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.**

(xiv) Request of M/s. Parsvnath SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Indore, Madhya Pradesh beyond 24th October 2009. **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 M/s. Parsvnath SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Sohna Road, Gurgaon,

Haryana beyond 5th November 2009. **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 M/s. Parsvnath SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Nedumbassery and Chengamanadu villages of Aluva Taluk in Ernakulam, Kerala beyond 25th October 2009. **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. 39.12: Requests for second extension of validity of formal approvals

(i) Request of M/s. Metro Valley Business Park Pvt. Ltd. for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Information Technology (IT) at Gurgaon, Faridabad Road, Gurgaon, Haryana, beyond 5th November 2010

The developer was granted formal approval for setting up the above mentioned SEZ over an area of 10 hectares vide LoA dated 6th November 2006. The said SEZ was notified on 6th November 2007 over an area of 10.393 hectares. Subsequently an additional area admeasuring 0.8245 hectares was notified on 30th July 2009. Thereby making the total area of the SEZ as 11.2175 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 5th November 2010. The developer has stated that NOC from the Forest Department has not yet been issued and without obtaining NOC from Forest Department, construction in the SEZ cannot be started. The developer has, therefore, requested for grant of second extension of the validity of formal approval.

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

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 9th June 2006. The said SEZ was notified on 14th August 2006 over an area of 80.93 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 8th June 2010. The developer has stated that they have completed 96% construction of the minimum built area in the processing zone and for the development of remaining 4% the process of construction of Standard Design Factory Building is underway. The developer has also stated that though maximum efforts were put to complete the construction within the time limit, due to technical reason the remaining area is not yet complete. The developer has, therefore, requested for grant of second extension of the validity of formal approval.

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

The developer was granted formal approval for setting up the above mentioned SEZ over an area of 113.35 hectares vide LoA dated 17th August 2006. The said SEZ was notified on 13th April 2007 over an area of 114.8318 hectares. The developer has been granted first

extension of the formal approval, the validity of which is up to 16th August 2010. The developer has requested for grant of second extension stating that the master plan approved on 30.08.2008 by the State Government has not been attested by them due to the fact that the State Government have initiated the process of acquiring the notified land for the construction of Toll Plaza in their land notified as SEZ. The land acquisition was challenged by them in the Hon'ble High Court of Punjab and Haryana and same is still sub-judice. Further, the State Government has also shown interest in further acquisition of notified land for the construction of Railway Corridor. It has also been informed that the developer is the process of settlement of land acquisition matter with the State Government out of court and that the State Government has also agreed to attest the development plan after deducting the area of land purported to be alternate use by the State Government. The developer has, therefore, requested for grant of second extension of the validity of formal approval.

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

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 15th June, 2006. The said SEZ was notified on 31st August, 2006 over an area of 11.936 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 14th June 2010. The developer has given the details of steps taken by them to implement the project. However, it has been stated that global economic slowdown is delaying the total process of investment decisions. The developer has, therefore, requested for second extension of validity of the formal approval to enable to company to take positive business decisions and attract investment thereby develop IT Sector in the region..

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

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 22nd August 2006. The said SEZ was notified on 26th April 2007 over an area of 25.45 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 21st August 2010. The developer has stated pursuant to grant of first extension considerable progress has been made that construction of 50840 sqm. in the SEZ is due for completion. The developer has stated that they need time to comply with the statutory requirements. The developer has, therefore, requested for grant of second extension of the validity of formal approval.

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

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 7th April 2006. The said SEZ was notified on 29th 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 6th April 2010. The developer has stated that after seeking first extension tangible physical progress at the site has been made. Further, due to recent slowdown in IT sector, the IT companies are not coming forward to put up their venture by

taking built area on lease basis as per the provision made in the SEZ Rules despite best efforts. The developer has also stated that the company is continuously in touch with leading IT companies to set up their venture in the SEZ. The developer has, therefore, requested for grant of second extension of the validity of formal approval.

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

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 24th August 2006. The said SEZ was notified on 29th May 2007 over an area of 10.20 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 23rd August 2010. The developer has stated that the development work of the SEZ was started immediately after getting all statutory approvals and over a period of about 30 months an investment Rs. 118.83 crores has made. The developer has requested for grant of extension of another one year for completion of development activities. The developer has, therefore, requested for grant of second extension of the validity of formal approval.

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

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 27th June 2006. The said SEZ was notified on 23rd April 2007 over an area of 1035.6688 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 26th June 2010. The developer has stated that after exit of ONGC as anchor tenant, Government of Andhra Pradesh has roped in M/s. GMR Holdings Pvt. Ltd. to develop grassroots refinery and that M/s. GMR commenced have commissioned a feasibility study of this refinery and petrochemical complex which has been completed this year. The Front End Engineering & Design (FEED) study for the proposed grassroots refinery is to commence. Further, WAPCOS has been commissioned to undertake the Comprehensive EIA and Coastal Zone Management studies with details feasibility report for developing all weather deepwater port. Developer has informed that the company is in discussion with an Indian Power Major to set up coal based power plant. The developer has also stated that to house these long gestation capital intensive projects within the SEZ, the existing master plan needs to be modified comprehensively and to achieve this they are in advanced state of discussions with an International master Planning Consultants to carry out the Consultants Master Planning for the entire SEZ. In view of the position stated above the developer needs more time to complete the project and has, therefore, requested for grant of second extension of the validity of formal approval.

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

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 28th August 2006. The above SEZ was notified on 12th December 2008 over an area of 10.968 hectares. The developer has been granted first extension of the formal

approval, the validity of which is up to 27th August 2010. The developer has stated that the development of non-processing area is in progress. Further pending approval of building plans by MIDC the developer is not able to commence construction activity. The developer has stated that significant investments have already been made and the company is committed to complete the project and that the delay is due to global economic scenario and delay in getting local approvals. The developer has, therefore, requested for grant of second extension of the validity of formal approval.

(x) Request of M/s. HCL Technologies Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Noida, Uttar Pradesh, beyond 23rd August 2010

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 24th August 2006. The said SEZ was notified on 15th December 2006 over an area of 16.91 hectares. Subsequently, an additional area of 1.49 hectares was notified on 20th October 2009, thereby making the total area of the SEZ as 18.40 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 23rd August 2010. The developer has stated that the construction of one lakhs sqm of built up area which includes basement also, has been carried out under phase I. The construction under Phase II is already under way. The developer needs some more time for completion of the project and has, requested for grant of second extension of the validity of formal approval.

(xi) Request of M/s. Ranbaxy Laboratories Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceutical at Mohali, Punjab, beyond 18th June 2010

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 19th June 2006. The said SEZ was notified on 10th 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 18th June 2010. The developer has stated that an amount of Rs. 100 crores has been invested so far towards implementation/completion of authorized operations towards implementation of the project. Further an SEZ unit has been granted LoA on 5th November 2007 for manufacture and export of Capsules, Tablets & Dry Syrup besides R&D Activities. The validity of the unit has been extended upto 17th June 2011. It has further been submitted that the unit has taken sincere efforts towards commencing production/exports and has made huge investment. In view of the above position the developer has requested for grant of second extension of the validity of formal approval.

(xii) Request of M/s. Zeus Infrastructure Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Mulund and Thane, Maharashtra, beyond 20th June 2010

The developer was granted formal approval for setting up the above mentioned SEZ vides LoA dated 21st June 2006. The said SEZ was notified on 23rd April 2008 over an area of 57.0979 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 20th June 2010. The developer has requested for further extension to enable them to complete the State Government formalities that are remaining due to the State Government constraints on them. In view of the above position the developer has requested for grant of second extension of the validity of formal approval.

(xiii) Request of M/s. Somani Worsted Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware and Software/ITES at Bhiwadi, District Alwar, Rajasthan, beyond 20th August 2010

The developer was granted formal approval for setting up the above mentioned SEZ vide LoA dated 21st August 2006. The said SEZ was notified on 26th November 2007 over an area of 19.9994 hectares. The developer has been granted first extension of the formal approval, the validity of which is up to 20th August 2010. The developer has stated that master plan of SEZ project has already been submitted to Rajasthan State Industrial Development Corporation Limited and is pending for approval. In view of the above the developer has requested for grant of second extension of the validity of formal approval.

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

(i) Request of M/s. US Technology International Pvt. Ltd., a co-developer in the sector specific SEZ for IT/ITES developed by M/s. Electronics Technology Parks-Kerala at Attipra Village, Thiruvananthapuram, Kerala, for extension of the validity of the LoA.

Sector specific SEZ at Thiruvananthapuram, Kerala by M/s. Electronics Technology Parks - Kerala was notified on 12th December 2006 over an area of 34.47.50 hectares. M/s. US Technology International Pvt. Ltd. was granted approval as a co-developer vide LoA dated 22nd June, 2007. As per the General condition no. (viii) of the LoA the validity of the approval is for three years i.e. upto 21st June, 2010. However, as per general condition no. (xvi) of the LoA the request of extension of the validity may be considered by the BoA on merits. The co-developer has stated that an investment of Rs. 3.00 crores has been made in completing works like, land development, 110KV HT line re-routing etc. The co-developer needs more time to complete the project and has, therefore, requested for extension of the validity of the LoA.

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

M/s. Satyam Computer Services Ltd. was granted approval as a co-developer, in the above mentioned SEZ vide LoA dated 23rd April, 2007. As per the General condition no. (viii) of the LoA the validity of the approval is for three years i.e. upto 13th February, 2010. However, as per general condition no. (xvi) of the LoA the request of extension of the validity may be considered by the BoA on merits. The co-developer has stated that the phase one construction activities in which construction of a built area of 824749 sqft. was planned had to be put on hold due to global recession. Further an investment of 45 crores has already been made in the project. The co-developer needs more time to complete the project and has, therefore, requested for extension of the validity of the LoA.

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

Following guidelines/norms for grant of second extension of in-principle approval were approved in the meeting of BoA held on 15th January 2009:

Type of SEZ	Conditions for grant of extension (1)	Conditions for grant of 2 nd extension (2)
IT/ITES/G&J/Biotech/Non-conventional Energy SEZ etc. with min. Area requirement of 10 Ha and Stand alone FTWZ	Conditions laid by BoA in its 12 th meeting	No second extension to be granted in such cases.
Sector Specific SEZs other than mentioned above	Conditions laid by BoA in its 12 th meeting	Conditions for grant of first extension will be applicable. Apart from this, the developer must have 60% land acquisition/possession
Multi-product	Conditions laid by BoA in its 12 th meeting	Conditions for grant of first extension will be applicable. Apart from this, the developer must have 50% land acquisition/possession

2. It was further decided that the cases which do not fulfil the above criteria will be placed before BoA for consideration.

(i) Category I - Cases which do not fulfil the above criteria

The following case which does not fulfil the above criteria and is placed below for consideration of BoA for grant of **second extension**:-

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.	LMJ Warehousing Private Limited	FTWZ, 40 Ha	Kandla, Gujarat	In-principle approval was granted vide LoA dated 11 th January 2008. The developer was granted first extension, by the BoA in the meeting held on 5 th November 2009, which was valid upto 10 th January 2010. The developer has requested for grant of second extension stating that land has been identified and the requisite documents have also been submitted to the State Government, however, State Government has directed to first get the extension. In this case the developer does not have 60% land in possession.

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

M/s. Oscar International was granted approval for setting up a unit at Kandla Special Economic Zone for trading activity of various items vide LoA dated 15-07-2009. The unit had requested DC for broad banding/inclusion of cigarette in their existing LoA stating that the product will not be sold in DTA. However, the unit stated that the product will be supplied to duty free shops on payment in free foreign exchange (from the EEFC Account). The request was considered in the UAC on 23.06.2009 and it was clarified that tobacco products cannot be approved under Automatic Approval Route.

Subsequently, the unit once again requested DC for inclusion of “Cigarettes” in their existing Letter of Approval stating 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 in India. The request was again considered in the UAC on 8/12/2009 and the committee decided to refer the matter to the BoA as it noted that cigarettes do not come under the purview of automatic approval.

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

M/s. UMA Exports Pvt. Ltd. was granted LoA on 14th October 2008 for processing in export of Masoor Dal in and from the SEZ. Subsequently, the status of the unit was changed from ‘processing unit’ to ‘international trading unit’ of Masoor Dal vide LoA dated 10th November 2008. Since pulses are in prohibited list of export the matter was discussed in the meeting under the Chairmanship of Shri D.K. Mittal, Additional Secretary, held on 22nd December 2009, to discuss policy issues raised by SEZ developers/units. It was decided in the meeting that office of the DGFT should consider suitable modification in the Foreign Trade Policy for making exception for SEZ units in respect of prohibited goods for exports and SEZ units may be allowed to export such goods where goods have been imported and no DTA procurement has been made. The approval granted to the unit was also suspended till the receipt of clarification from the DGFT. No comments/clarifications has been received by the DGFT till date. The unit has been pressing hard to allow them to remove the suspension on international trading pulses as the unit is importing pulses only from also in India. DC, FSEZ, has also requested for a clarification in the matter (**Annexure-13**). This Department has also issued some guidelines vide letter No. C.4/1/2010-SEZ dated 4th March 2010, in the form of instruction no. 47 wherein it has been prescribed that the unit, with the prior approval of BoA, should be permitted to export/import prohibited items, subject to certain conditions (**Annexure -14**).

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

Instruction no. 47 (**Annexure-14**) issued by this Department provides for permitting export of prohibited items, with the prior approval of the BoA, provided the SEZ unit imports raw materials for the same. Referring to the above instruction DC, ISEZ has forwarded request of M/s Prakash Overseas, a partnership firm for setting up a pulses processing unit in Indore SEZ. DC has stated that as per the application and other related documents received from the unit, the group is in this trade for more than 35 years and are already importing pulses from Australia, Canada, USA, Africa, Dubai etc. Further the group claims they were

exporting finished pulses in the past, before export of the same was prohibited. The unit has further submitted that the purpose of setting up the unit is to import raw material from various sources across the globe and export the value added pulses to consumption centers. DC has stated that the request of M/s Prakash Overseas was considered in the Approval Committee and Committee decided to refer the case to the BoA for approval. It is for consideration of the BoA as to whether M/s Prakash Overseas be allowed to setup a Pulse Processing Unit for export of pulses.

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

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

The developer of the above SEZ had procured goods having a total value of Rs. 8259282/-, from the Domestic Tariff Area, for the authorized operations under the provisions of SEZ Act and Rules. However, the goods were not utilized within a period of one year. The DC has stated that as per Rule 37(1) of the SEZ Rules 2006, the developer should have applied for extension within one year from the date of receipt of goods in SEZ. However, the developer applied for extension after lapse of one year and has, therefore, become liable for payment of duty as per rule 37(2) of SEZ Rules 2006. DC has further stated that the specified officer has asked the developer to pay the applicable duties. Consequent upon the demand for duty the developer had requested to condone the delay in filing of application for extension. The request was considered in the UAC and it was decided that since the lapse is technical in a nature, the BoA may be requested to condone the delay for extension as a special case.

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

The developer of the above SEZ had procured goods, from the Domestic Tariff Area, for the authorized operations under the provisions of SEZ Act and Rules. However, the goods having total value of Rs. 2677100/- were not utilized within a period of one year. The DC has stated that as per Rule 37(1) of the SEZ Rules 2006, the developer should have applied for extension within one year from the date of receipt of goods in SEZ. However, the developer applied for extension after lapse of one year and has, therefore, become liable for payment of duty as per rule 37(2) of SEZ Rules 2006. DC has further stated that the specified officer has asked the developer to pay the applicable duties. Consequent upon the demand of duty the developer had requested to condone the delay in filing of application for extension. The request was considered in the UAC and it was decided that since the lapse is technical in a nature, the BoA may be requested to condone the delay for extension as a special case.

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

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 17th August 2005 over an area of 85.375 Ha. The said SEZ was re-notified on 19th July 2006. M/s. Apollo Hospitals Enterprise Limited has been approved as a co-developer in the aforesaid SEZ vide LoA dated 21st August, 2009. In the 37th BoA meeting held on 15th 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

Now 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 of the developer is at **Annexure-15**.

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

M/s. Nara Exim Private Limited is holding LoP for manufacture and export of Plastic Granules and Reprocessed Plastic Agglomerates. Unit had commenced production on 12.02.99 and completed second block of operation of five years on 11.02.2009. In terms of Rule 18(4)(a) of the SEZ Rules, the proposal for renewal of the LoP of the units engaged in recycling of plastic scrap/waste shall be decided by the BoA. In view of this the request of further extension of the validity of the unit for a period of five year beyond 11.2.2009 was considered by BoA in the meeting held on 23.02.2009. However, the Board had granted approval for renewal of LoP for a further period of one year only. DC, FSEZ, has stated that the unit has requested for renewal of its LoP beyond 12.2.2010 up to 11.2.2014 i.e. for the remaining four years period of the 3rd five year block.

The Foreign Trade Performance of the unit during from 11.02.2004 upto 16.1.2009 is given below:

1. Exports during five years	:	Rs. 4154.79 lakhs
2. Import total outflow	:	Rs. 4104.47
3. NFE earnings	:	Rs. +50.32 lakhs

DC, Falta has stated that the unit had achieved positive NFE individually as well as cumulatively. The zone has further stated that the unit has been able to make export since financial year 2006-07 by selling the goods in DTA against payment in foreign exchange. Revised projected exports and imports for next five years are as under:-

1.	FOB value of exports	7772.82 lakh
2.	CIF value of imported C.G.	Nil
3.	CIF value of imported R.M. & Component	6046.00 lakh
4.	CIF value of imported spares & Consumbales	Nil
5.	Repatriation of dividends	Nil
6.	Payment on training of India technicians	Nil
7.	Foreign travel	Nil
8.	Commission on exports	Nil
9.	Any other payments	Nil
10.	NFE earning	1726.82 lakhs

The request of the unit for further extension of LoP upto 11.02.2014 is placed before the Board of Approval for consideration.

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

Formal approval was granted to M/s. Bharat Forge Limited, for setting up of a multi product SEZ at Khed Taluka, District Pune, Maharashtra, over an area of 1085.92 hectares, vide LoA dated 2nd January, 2009. Subsequently the area was increased to 1559.81 hectares vide LoA dated 12th January, 2009 and the approval was transferred in favour of M/s. Khed Economic Infrastructure Private Limited (KEIPL) vide LoA dated 30th January, 2009. A 0.95 Km portion of the Other District Road (ODR) No. 36, falling under jurisdiction of Pune Zilla Parishad (ZP), Pune passes through the proposed SEZ. The developer has proposed to construct boundary wall on both sides of the portion of ODR-36 to ensure open access to the public and a flyover to maintain the contiguity of the SEZ. The proposal of the developer has been approved by Zilla Parishad, Pune. The developer has stated that the boundary walls shall be constructed to the specifications laid down in SEZ Rules 2006. The request of the developer is placed before the BoA for consideration.

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

In the BoA meeting held on 5th November 2009, M/s. Mapletree Mauritius 2 Limited was approved as a co-developer in the sector specific SEZ for IT/ITES at Pune, Maharashtra being developed by M/s. Eon Kharadi Infrastructure Private Limited. At the time of seeking approval as a co-developer in the above mentioned SEZ, it was stated in the application form that co-developer would be a subsidiary of M/s. Mapletree Mauritius 2 Limited. Further it is also mentioned in the clause 23 of the co-developer agreement of 09.09.2009, entered into between Developer and M/s. Mapletree Mauritius 2 Limited (MML), that upon the service of a notice from MML to the developer (“Novation Notice”) informing the Developer of the establishment of the MML’s subsidiary and nominating the MML’s subsidiary as co-developer, all rights obligations of MML under this agreement shall be deemed transferred to

the MML's subsidiary. MML has accordingly incorporated its subsidiary M/s. Pune Kharadi Development Private Limited in India and have, therefore, requested for transfer of the Approval to the latter. The request of MML was approved on file as per the guidelines of the BoA and the LoA was issued on 28th January 2010. This is submitted for information/ratification of the Board of Approval.
