

No. K-43016(12)/3/2020-SEZ
Government of India
Ministry of Commerce and Industry
Department of Commerce
(SEZ Section)

Udyog Bhawan, New Delhi
Dated the 11th March, 2020

OFFICE MEMORANDUM

Subject: 97th Meeting of the Board of Approval (BoA) for Special Economic Zones (SEZs) scheduled to be held on 20th March, 2020 at 11.00 A.M in Room No. 108 - forwarding of Agenda thereof – Reg.

In continuation to this Department's O.M. of even number dated 9th March, 2020 on the above mentioned subject, the undersigned is directed to enclose herewith the Agenda for the 97th meeting of the BoA for SEZs, scheduled to be held on 20th March, 2020 at 11:00 A.M. for information and necessary action. Soft copy of the agenda has also been hosted on the website: www.sezindia.gov.in. The addressees located outside Delhi are requested to download the agenda from the above mentioned website.

2. The addressees are requested to make it convenient to attend the meeting.



(Darshan Kumar Solanki)

Under Secretary to the Government of India

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To

1. Central Board of Excise and Customs, Member (Customs), Department of Revenue, North Block, New Delhi. (Fax: 23092628).
2. Central Board of Direct Taxes, Member (IT), Department of Revenue, North Block, New Delhi. (Telefax: 23092107).
3. Joint Secretary, Ministry of Finance, Department of Financial Services, Banking Division, Jeevan Deep Building, New Delhi (Fax: 23344462/23366797).
4. Shri Anil Agarwal, Joint Secretary, Department of Promotion of Industry and Internal Trade (DPIIT), Udyog Bhawan, New Delhi.
5. Joint Secretary, Ministry of Shipping, Transport Bhawan, New Delhi.
6. Joint Secretary (E), Ministry of Petroleum and Natural Gas, Shastri Bhawan, New Delhi
7. Joint Secretary, Ministry of Agriculture, Plant Protection, Krishi Bhawan, New Delhi.
8. Ministry of Science and Technology, Sc 'G' & Head (TDT), Technology Bhavan, Mehrauli Road, New Delhi. (Telefax: 26862512)
9. Joint Secretary, Department of Biotechnology, Ministry of Science and Technology, 7th Floor, Block 2, CGO Complex, Lodhi Road, New Delhi - 110 003.

10. Additional Secretary and Development Commissioner (Micro, Small and Medium Enterprises Scale Industry), Room No. 701, Nirman Bhavan, New Delhi (Fax: 23062315).
11. Secretary, Department of Electronics & Information Technology, Electronics Niketan, 6, CGO Complex, New Delhi. (Fax: 24363101)
12. Joint Secretary (IS-I), Ministry of Home Affairs, North Block, New Delhi (Fax: 23092569)
13. Joint Secretary (C&W), Ministry of Defence, Fax: 23015444, South Block, New Delhi.
14. Joint Secretary, Ministry of Environment and Forests, Pariyavaran Bhavan, CGO Complex, New Delhi – 110003 (Fax: 24363577)
15. Joint Secretary & Legislative Counsel, Legislative Department, M/o Law & Justice, A-Wing, Shastri Bhavan, New Delhi. (Tel: 23387095).
16. Department of Legal Affairs (Shri Hemant Kumar, Assistant Legal Adviser), M/o Law & Justice, New Delhi.
17. Secretary, Department of Chemicals & Petrochemicals, Shastri Bhawan, New Delhi
18. Joint Secretary, Ministry of Overseas Indian Affairs, Akbar Bhawan, Chanakyapuri, New Delhi. (Fax: 24674140)
19. Chief Planner, Department of Urban Affairs, Town Country Planning Organisation, Vikas Bhavan (E-Block), I.P. Estate, New Delhi. (Fax: 23073678/23379197)
20. Director General, Director General of Foreign Trade, Department of Commerce, Udyog Bhavan, New Delhi.
21. Director General, Export Promotion Council for EOUs/SEZs, 8G, 8th Floor, Hansalaya Building, 15, Barakhamba Road, New Delhi – 110 001 (Fax: 223329770)
22. Dr. Rupa Chanda, Professor, Indian Institute of Management, Bangalore, Bennerghata Road, Bangalore, Karnataka
23. Development Commissioner, Noida Special Economic Zone, Noida.
24. Development Commissioner, Kandla Special Economic Zone, Gandhidham.
25. Development Commissioner, Falta Special Economic Zone, Kolkata.
26. Development Commissioner, SEEPZ Special Economic Zone, Mumbai.
27. Development Commissioner, Madras Special Economic Zone, Chennai
28. Development Commissioner, Visakhapatnam Special Economic Zone, Visakhapatnam
29. Development Commissioner, Cochin Special Economic Zone, Cochin.
30. Development Commissioner, Indore Special Economic Zone, Indore.
31. Development Commissioner, Mundra Special Economic Zone, 4th Floor, C Wing, Port Users Building, Mundra (Kutch) Gujarat.
32. Development Commissioner, Dahej Special Economic Zone, Fadia Chambers, Ashram Road, Ahmedabad, Gujarat
33. Development Commissioner, Navi Mumbai Special Economic Zone, SEEPZ Service Center, Central Road, Andheri (East), Mumbai – 400 096
34. Development Commissioner, Sterling Special Economic Zone, Sandesara Estate, Atladra Padra Road, Vadodara - 390012
35. Development Commissioner, Andhra Pradesh Special Economic Zone, Udyog Bhawan, 9th Floor, Siripuram, Visakhapatnam – 3
36. Development Commissioner, Reliance Jamnagar Special Economic Zone, Jamnagar, Gujarat
37. Development Commissioner, Surat Special Economic Zone, Surat, Gujarat
38. Development Commissioner, Mihan Special Economic Zone, Nagpur, Maharashtra
39. Development Commissioner, Sricity Special Economic Zone, Andhra Pradesh.
40. Development Commissioner, Mangalore Special Economic Zone, Mangalore.

41. Government of Andhra Pradesh, Principal Secretary and CIP, Industries and Commerce Department, A.P. Secretariat, Hyderabad – 500022. (Fax: 040-23452895).
42. Government of Telangana, Special Chief Secretary, Industries and Commerce Department, Telangana Secretariat Khairatabad, Hyderabad, Telangana.
43. Government of Karnataka, Principal Secretary, Commerce and Industry Department, Vikas Saudha, Bangalore – 560001. (Fax: 080-22259870)
44. Government of Maharashtra, Principal Secretary (Industries), Energy and Labour Department, Mumbai – 400 032.
45. Government of Gujarat, Principal Secretary, Industries and Mines Department Sardar Patel Bhawan, Block No. 5, 3rd Floor, Gandhinagar – 382010 (Fax: 079-23250844).
46. Government of West Bengal, Principal Secretary, (Commerce and Industry), IP Branch (4th Floor), SEZ Section, 4, Abanindranath Tagore Sarani (Camac Street) Kolkata – 700 016
47. Government of Tamil Nadu, Principal Secretary (Industries), Fort St. George, Chennai – 600009 (Fax: 044-25370822).
48. Government of Kerala, Principal Secretary (Industries), Government Secretariat, Trivandrum – 695001 (Fax: 0471-2333017).
49. Government of Haryana, Financial Commissioner and Principal Secretary), Department of Industries, Haryana Civil Secretariat, Chandigarh (Fax: 0172-2740526).
50. Government of Rajasthan, Principal Secretary (Industries), Secretariat Campus, Bhagwan Das Road, Jaipur – 302005 (0141-2227788).
51. Government of Uttar Pradesh, Principal Secretary, (Industries), Lal Bahadur Shastri Bhawan, Lucknow – 226001 (Fax: 0522-2238255).
52. Government of Punjab, Principal Secretary Department of Industry & Commerce Udyog Bhawan), Sector -17, Chandigarh- 160017.
53. Government of Puducherry, Secretary, Department of Industries, Chief Secretariat, Puducherry.
54. Government of Odisha, Principal Secretary (Industries), Odisha Secretariat, Bhubaneswar – 751001 (Fax: 0671-536819/2406299).
55. Government of Madhya Pradesh, Chief Secretary, (Commerce and Industry), Vallabh Bhavan, Bhopal (Fax: 0755-2559974)
56. Government of Uttarakhand, Principal Secretary, (Industries), No. 4, Subhash Road, Secretariat, Dehradun, Uttarakhand
57. Government of Jharkhand (Secretary), Department of Industries Nepal House, Doranda, Ranchi – 834002.
58. Union Territory of Daman and Diu and Dadra Nagar Haveli, Secretary (Industries), Department of Industries, Secretariat, Moti Daman – 396220 (Fax: 0260-2230775).
59. Government of Nagaland, Principal Secretary, Department of Industries and Commerce), Kohima, Nagaland.
60. Government of Chattishgarh, Commissioner-cum-Secretary Industries, Directorate of Industries, LIC Building Campus, 2nd Floor, Pandri, Raipur, Chhattisgarh (Fax: 0771-2583651).

Copy to: PPS to CS / PPS to AS (BBS) / PPS to DS (SNS).

**Agenda for the 97th meeting of the Board of Approval to be held on
20th March, 2020 at 11:00 A.M. in Room No. 108, Udvog Bhawan, New Delhi**

Item No. 97.1: Confirmation of minutes of the meetings of the 95th and 96th BoA held on 14th February, 2020 and 26th February, 2020 respectively.

97.2 Proposal for change in Shareholding Pattern/change of name (3 proposals)

In terms of DoC's Instruction No. 89 dated 17.05.2018, re-organization in respect of developer and co-developer including change in shareholding pattern, business transfer arrangements, court approved mergers and de-mergers in case of developer/co-developer etc. are to be undertaken by the Board of Approval.

97.2(i) Request of M/s. DLF Info City Hyderabad Ltd, IT/ITES SEZ at Gachibowli Village, Serilingampally Mandal, Ranga Reddy District, Telangana for change in shareholding pattern of their company.

M/s. DLF Info City Hyderabad Limited (DICHL) (Earlier M/s. DLF Commercial Developers Limited) was granted Formal Approval on 23.10.2006 for setting up IT/ITES SEZ at Gachibowli Village, Serilingampally Mandal, Ranga Reddy District, Telangana in an area of 10.617 Hectares. The SEZ was notified on 26.4.2007.

As informed by DC, VSEZ, the Developer proposes the following change in the shareholding pattern of DICHL:

Present shareholding (pre-change)				Post shareholding (post-change)		
S. No.	Name of the shareholder	No of shares held	%	Name of shareholder	No. of shares held	%
1.	DLF Home Developers Ltd. (DHDL) along with its six nominees	1682150	99.04	DLF Cyber City Developers Limited (DCCDL) along with its six nominees	1698472	100
2.	DLF Limited	16322	0.96			
	Total	1698472	100	Total	1698472	100

With reference to above, the present shareholders of the company are proposing to sell their entire holding to M/s. DLF Cyber City Developers Limited (DCCDL) — subsidiary company of DLF Limited and the ultimate parent company post this transaction would remain the same.

As informed by DC, VSEZ post change in shareholding, the directors of the company is proposed to be changed as follows:

Sl. No.	Existing Directors as on 03.03.2020	List of proposed directors (Post change in shareholding)
1	Mr. Ajay Gauri (Indian)	Mr. Amit Grover (Indian)
2	Ms. Enakshi Kulshrestha (Indian)	Mr. Navin Kedia (Indian)
3	Mr. Ashok Nanda (Indian)	Mr. Nellamakada Chengappa Somaiah (Indian)

Recommendation by DC, VSEZ:

DC, VSEZ has recommended the proposal for consideration of the BoA in terms of Instruction No. 89 read with Instruction No. 90.

The request is submitted for consideration of BoA.

97.2(ii) Request of M/s Vikas Telecom Pvt. Ltd. developer of Vikas Telecom Pvt. Ltd. SEZ, Embassy Tech Village, Bangalore for amendment in approval of change in shareholding pattern.

The above mentioned developer was granted LoA on 07.04.2006 to set up sector-specific Special Economic Zone for IT/ITES at Outer Ring Road, Devarabeesanahalli, Varthur Hobli, Bangalore, Karnataka. The SEZ was notified on 08.09.2006.

DDC, Cochin SEZ, vide letter dated 03.11.2017, had forwarded the proposal of the developer for change in shareholding pattern for placing the same before the BoA for its consideration. The proposal was considered and approved in the 80th meeting of the BoA held on 17.11.2017. The approval was conveyed to the Developer by DoC on 15.12.2017.

Subsequently, the developer, vide letter dated 19.12.2019, pointed out that there was an error in the agenda regarding their proposal. The matter was verified and it was noticed that there was an inadvertent error in their letter recommending the proposal. The details are as follows:

a. Earlier Communication

Name of shareholder	No. of shares held	% of shareholding
M/s Embassy Office Parks Real Estate Investment Trust	2,637,348	40
Embassy Office Parks Pvt. Ltd.*	3,956,022	60
Total	6,593,370	100

**Embassy Office Parks Pvt. Ltd. is proposed to be held directly by the EOP REIT as a 100% subsidiary of the EOP REIT.*

b. Revision/Correction now sought:-

Name of shareholder	No. of shares held	% of shareholding
Embassy Office Parks Real Estate Investment Trust	2,637,348	40
Embassy Office Ventures Pvt. Ltd.*	3,956,022	60
Total	6,593,370	100

**Embassy Office Ventures Pvt. Ltd. is proposed to be held directly by the EOP REIT as a 100% subsidiary of the EOP REIT.*

DC, CSEZ had requested that necessary action may be taken to get the correction incorporated in the agenda to change the name of the shareholder. The request was examined and it was noticed that the developer had filed an application with SEBI for registration of Embassy Office Parks Real Estate Investment Trust (EOP REIT). Hence, it was decided that before processing the matter further before the BoA, the details regarding registration of REIT with SEBI should be obtained. Accordingly, vide DoC's letter dated 07.01.2020, DC CSEZ was requested to intimate the status thereof. In reply, DC has now forwarded the copy of Certificate of Registration as a real estate investment trust dated 03.08.2017 issued by SEBI to EOP REIT.

Accordingly, in terms of Instruction No. 89, re-organization including change in shareholding pattern in respect of Developer/co-developer shall be undertaken with the approval of the Board.

The present request for rectification in the name of the shareholder is accordingly placed before the BoA for consideration.

97.2(iii) Request of M/s MN Industrial Parks Private Limited, Co-developer of M/s Brandix India Apparel City Pvt. Ltd. for change of name from M/s MN Industrial Parks Pvt. Ltd. to INDIP Industrial Parks (Vizag) Private Limited.

M/s MN Industrial Parks Private Limited was granted formal approval on 05.10.2017 for providing design, engineering, development, commissioning and all incidental activities on the agreed land i.e. 48.96 acres along with the operation and maintenance of the present infrastructure facilities and proposed development activities as agreed in the Co-developer agreement of M/s Brandix India Apparel City Pvt. Ltd. at Atchutapuram, Visakhapatnam in the State of Andhra Pradesh.

The co-developer has submitted a proposal for change of name from M/s MN Industrial Parks Private Limited to "INDIP Industrial Parks (Vizag) Private Limited". The Certificate of Incorporation issued by RoC, Hyderabad on 10.06.2019 has been provided. Further, the developer has conveyed their no-objection to the proposed change in the name of the co-developer. As per the proposal, the Board of Directors and the shareholding pattern will remain the same before and after the proposed change.

Recommendation by DC, VSEZ:

The request has been forwarded by O/o DC, VSEZ for consideration of the Board of Approval in terms of DoC's Instruction no. 89.

97.3 Miscellaneous cases (4 proposals)

97.3(i) Request of M/s. BA Continuum India Private Limited, a unit in GIFT-Multi-services-SEZ, Gandhinagar, for permission to procure Sand from DTA units as prescribed under Rule-27 (1) of the SEZ Rules, 2006.

M/s. BA Continuum India Private Limited, an approved and working unit in GIFT-Multi-services-SEZ, at Gandhinagar, Gujarat has sought approval/permission for procurement of 120 MTs (one hundred and twenty metric tons) of Sand, a restricted item under ITC (HS) Classification (Head No. 2505-10-11) for their existing infrastructure project of new office.

In terms of fourth proviso to Rule-27(1) of the SEZ Rules, 2006, the procurement of restricted items from Domestic Tariff Area (DTA) shall be subject to prior approval of Board of Approval.

The details of Export Policy for such items is as below:-
ITC (HS), 2018

S. No.	Tariff Item	Unit	Item Description	Export Policy	Policy Conditions
98	2505 10 11	Kg	Sand and Soil	Restricted	Exports permitted under licence
	2505 10 12				
	2505 10 19				
	2505 10 20				
	2505 90 00				
	2530 90 99				

Recommendation by DC, GIFT Multi Services SEZ:

The above proposal of M/s. BA Continuum India Private Limited for procurement of restricted items i.e. 120 MTs of Sand from DTA is recommended for favourable consideration of the BoA.

The request is accordingly placed before BOA for its consideration.

97.3(ii) Request of M/s. ATS Savvy Developers LLP, Co-Developer in GIFT SEZ for permission to procure Sand from DTA units as prescribed under Rule-27 (1) of the SEZ Rules, 2006.

M/s. ATS Savvy Developers LLP, a co-developer in GIFT-SEZ, Gandhinagar, Gujarat has sought approval/permission for procurement of 7,000 MTs (seven thousand metric tons) of Sand, the basic ingredient in construction activity for their project and a restricted item under ITC (HS) Classification (Head No. 2505-10-11).

In terms of fourth proviso to Rule-27(1) of the SEZ Rules, 2006, procurement of restricted items from Domestic Tariff Area (DTA) shall be subject to prior approval of Board of Approval.

The details of Export Policy for such items is as below:-

ITC (HS), 2018

S. No.	Tariff Item	Unit	Item Description	Export Policy	Policy Conditions
98	2505 10 11 2505 10 12 2505 10 19 2505 10 20 2505 90 00 2530 90 99	Kg	Sand and Soil	Restricted	Exports permitted under licence

Recommendation by DC, KASEZ:

The request of M/s. ATS Savvy Developers LLP Limited for procurement of restricted items i.e. 7,000 MTs of Sand from DTA is recommended for favourable consideration by the BoA.

The request is accordingly placed before BOA for its consideration.

97.3(iii) Request of M/s. PI Industries Ltd., SPM-29/2, Sterling SEZ, AT & PO, Sarod, TA-Jambusar, Dist-Bharuch, Gujarat for procurement of raw material i.e "Chlorodifluoromethane" which is a restricted item.

M/s. PI Industries Limited, Plot No. SPM-29/ 2, Sterling SEZ & Infrastructure Ltd., Village- Sarod, Tal. Jambusar, Dist. Bharuch had established manufacturing unit under the Special Economic Zone, Jambusar, Dist.-Bharuch (SEZ Area) having LOA dated 11.04.2017 for manufacture of Agro Chemicals, Fine Chemicals and Intermediate Chemicals.

DC, Sterling SEZ has informed that the unit has requested for granting permission to procure raw material Chlorodifluoromethane (Mefron 22 & Freon 22) falling under ITC Chapter heading 29037100 from DTA Unit. The item is falling under Chapter Heading No. 29037100

which is restricted for import. As per Ministry of Commerce and Industry instruction No.47 dated 04.03.2010, In respect of supply of Restricted items by a DTA unit to SEZ Developer / Unit, the DTA unit can supply such items to a SEZ Developer or unit for setting up infrastructure facility or for setting up of a unit. It can also supply raw material to SEZ unit for undertaking a manufacturing operation except refrigeration, cutting, polishing and blending. However, it will require prior approval of BOA. The instruction has also been incorporated in proviso to Rule 27(1) of SEZ Rules, 2006.

DC, Sterling SEZ has stated that this raw material Chlorodifluoromethane (Mefron 22 & Freon 22) will be used as feedstock in the manufacturing of other chemicals. Hence, they are utilizing this raw material for manufacturing activity of their product named Octopussy/ Pyroxasulfone Technical and not consuming this raw material for refrigeration, cutting, polishing and blending. Further, their final product named Octopussy/ Pyroxasulfone Technical will not fall under Prohibited item of export.

Recommendation by DC, Sterling SEZ:

DC has recommended the request to the Board of Approval for consideration.

The request is accordingly placed before BOA for its consideration.

97.3(iv) Request of M/s. TPI Composites Inc. and Prospect One Manufacturing LLP for approval to use the SEZ road at SIPCOT Hi-Tech SEZ, Oragadam with the proposed improvements for a period of three years

DC, MEPZ, M/s. Indo Assist Capital Adviser (P) Ltd. has submitted a request on behalf of their client viz. M/S TPI Composites Inc. and Prospect One Manufacturing LLP, a wind mill manufacturing firm. The project proposal of M/s. TPI Composites Inc. and Prospect One Manufacturing LLP is as follows:

- To set up a DTA manufacturing facility for Wind Mill Blade manufacture in Chennai adjacent to SIPCOT SEZ, Oragadam.
- To manufacture 85 meter and 75 meter long Wind Mill Blades.
- To transport wind blades from their manufacturing facility to its customers.
- As transportation of Wind Mill Blades involves movement of the same along the road inside the SIPCOT SEZ, Oragadam, M/s. Indo Assist Capital Adviser (P) Ltd. obtained NOC from SIPCOT for movement of blades through the SEZ with certain conditions (copy of letter dated 10.02.2020 from SIPCOT is enclosed).
- M/s. Indo Assist Capital Adviser (P) Ltd. has now requested for approval to use the SEZ road considering the length of the special blade to be moved.

The issue was referred to the Department of Commerce for guidance and advice as to whether the request of M/s. TPI Composites Inc. and Prospect One Manufacturing LLP can be acceded to or not, given the special circumstances. In response, Department of Commerce had asked the DC office to further examine this request in the light of Rule 7(2) of SEZ Rules, 2006, (which stipulates that the area identified for SEZ should be contiguous, vacant and shall have no public thoroughfare) and submit a Report to the Department. In reply to the same, a detailed report was submitted to this department by DC, MEPZ with the following observations:

- a. An inspection was conducted by the officials of this office and it is seen that out of the total distance of 8 Km between the factory and National Highway, 3 Km of the stretch falls within the jurisdiction of SIPCOT SEZ, Oragadam. While the infrastructure of none

of the SEZ Units in the Zone is likely to be affected by the movement of the blades, the company has proposed to expand the SEZ road to facilitate the movement of the blades which has also been approved by SIPCOT, Developer of the Zone.

- b. The instant proposal would involve opening up of another entry point at the rear end of the SEZ, through which the Windmill Blades would enter into the Zone from the DTA, travel along the SEZ roads and would exit from SEZ to DTA at the existing exit / entry point of the SEZ.
- c. The establishment of a rear gate to enable the movement of the Windmill Blades will not affect the contiguity of the Zone. As such, in terms of Letter No. 2/79/2007/SEZ dated 21.05.2007, the request for more than one exit / entry points can be brought before BoA for approval in terms of proviso of sub Rule 2 of 11 of SEZ Rules, 2006 as amended.

The matter was deliberated in the 93rd meeting of the BoA held on 15.11.2019 and the Board decided to defer the matter with the directions that the company should come up with a reasonable plan for a permanent solution for an alternate access to the national highway which would not pass through the SEZ area in consultation with the State Government within a reasonable time frame.

As informed by DC, MEPZ, M/s. Indo Assist Capital Adviser (P) Ltd., in their letter dated 14.02.2020, have informed that SIPCOT has allocated a second route to them from the factory to the National Highway, which has several hurdles to be crossed like unauthorised structures to be demolished, police signals to be moved. This would take time between two to three years to stabilise the route and make it motorable and more permanent in nature. Hence, they have requested to allow them to use the SEZ road with the proposed improvements for a period around three years. They have also confirmed that they would periodically update this office on the status of the alternative arrangement and the use of the SEZ road.

Recommendation by DC, MEPZ:

Considering the unique nature of the case and taking into account the amount of investment to be made by M/s. TPI Composites Inc. and Prospect One Manufacturing LLP for setting the manufacturing facility in DTA and the consequent generation of employment and economic activities, the proposal of M/s. TPI Composites Inc. and Prospect One Manufacturing LLP for transportation of Windmill Blades through SEZ road for a temporary period of three years is recommended to be placed before the BOA, for its consideration.

The request is submitted for consideration of BoA.

97.4 Request for formal approval (Two proposals)

97.4(i) Request of M/s. TATA Consultancy Services Limited for formal approval and notification of its Sector Specific SEZ for IT/ITES at Plot Nos: H-11/1B, H-11/1C & H-11/2 in SIPCOT IT Park, Siruseri, Kancheepuram District, Tamil Nadu over an area of 7.67 Ha (18.94 Acres).

M/s. Tata Consultancy Services (TCS) Limited was granted "in-principle" approval in the 92nd meeting of the BoA held on 04.10.2019 for setting up an IT/ITES SEZ with an investment of Rs. 900 crore and estimated to provide employment to about 12000 persons. The SEZ was spanning over two plots of land over an area of 7.39 Ha, separated by a 9 metre wide road. The "in-principle" approval was subject to the condition that no unit will be approved unless the condition of contiguity is complied with by the Developer.

Subsequently, M/s. TCS requested to allow for setting up of a unit with an Initial Development Centre (IDC) at one of the two plots, i.e., Plot No.1-11/2, admeasuring the contiguous area of 10.25 acres (4.15 hectares) and start business operations before the deadline of sunset clause on 31.03.2020 based on their undertaking that the contiguity structures (basement tunnel and skywalk), as indicated in the Master plan and stated in the recommendation of State Govt., will be constructed by TCS subsequently. DC, MEPZ, vide letter dated 08.11.2019, informed that M/s. TCS stated that basically to create this contiguity with basement tunnel and skywalk structures across the software blocks, environmental clearance and other statutory approvals for the entire campus have to be obtained which will extend beyond the SEZ sunset clause deadline of 31.03.2020, and so they will not be able to commence operations as a unit before March, 2020.

With the above facts and position, the proposal for formal approval for the SEZ was again placed before the 93rd meeting of the BoA held on 15.11.2019. The Board, after deliberations, approved the proposal of the developer for 'formal approval' at Plot No.1-11/2, admeasuring the contiguous area of 10.25 acres (4.15 hectares). Further, it was decided that no SEZ related activity involving SEZ benefits/setting up of units etc., will be approved on the other plot i.e. H-11/1B admeasuring 08.02 acres (3.24 hectares) unless the condition of contiguity is complied with by the Developer as decided during the 92nd meeting of the BoA. With this approval, the Developer was free to set up a unit in the IDC of the SEZ by making a request to the UAC, MEPZ. Accordingly, the formal approval was conveyed to the Developer vide DoC's letter dated 06.12.2019 for Plot No.1-11/2 admeasuring the contiguous area of 10.25 acres (4.15 hectares) with the above condition.

Earlier, DC, MEPZ, SEZ vide letter dated 16.01.2020 forwarded the documents for notification of 7.39 Ha (18.27 acres) for consideration and approval of DoC. Thereafter, DC, MEPZ, vide letter dated 26.02.2020, has informed that, in addition to the two Plots (H-11/1B & H-11/2), M/s. SIPCOT Ltd., vide their allotment letter dated 25.02.2020, has also allotted the intervening land of 0.667 acres (as Plot No: H-11/1C), which is a 9 meter road and which connects the two Plots for establishing contiguity.

It is pertinent to mention that the allotment order dated 25.02.2020 issued by SIPCOT to M/s Tata Consultancy Services Limited for an area of 0.67 acres stipulates certain conditions in its para 3 pertaining to execution of lease deed, acceptance of allotment order, payment of due amount, execution of water supply agreement, taking over possession, payment of annual lease rent etc. The handing over possession certificate in respect of all the three plots - Plot Nos. H-11/1B, H-11/2 & H-11/1C - have been provided.

In compliance of DoC's Instruction No.102 regarding physical inspection & contiguity, DC, MEPZ in their Inspection Report dated 26.02.2020 has stated that the proposed area was inspected on 24.12.2019 by ADC, MEPZ in the presence of official from the Revenue Department, SIPCOT, Govt. of Tamil Nadu. M/s. SIPCOT Ltd. vide their allotment letter dated 25.02.2020 allotted 0.667 acres (0.28 ha) of land in addition to the two Plots which is a 9 meter road and which connects the two Plots for establishing Contiguity.

Thus, BoA has approved the proposal of the TCS for setting up an SEZ at the given site, i.e., in 92nd ("in-principle" approval) and 93rd ("formal approval for one Plot) meetings. The only concern that BoA had was of contiguity. TCS, having acquired the intervening land, has established the contiguity permanently. The status of documents in respect of remaining area of 3.52 (3.24 + 0.28) Ha is as follows:

No.	Conditions/Documents required	Status	
		3.24 Ha	0.28 Ha
	Documents required for setting up of SEZ in terms of Rule 3 of SEZ Rules, 2006:		
i)	Completed Form A (with enclosures) Total Proposed Investment : Rs. 900 (Crores) FDI (in US \$) : Nil Source of FDI : Not Applicable Proposed Exports : Rs. 6,000 (Crores) Employment (in Nos.) 12,000 (Dir.) & 3,000 (Indir.)	Yes , provided	
ii)	DC's Inspection Report	Yes , provided	
iii)	State Government's recommendation	Yes , provided	Yes, provided
iv)	Recommendation for National Security Clearance (NSC) from Ministry of Home Affairs as per Rule 3 of SEZ Rules, 2006	DC has stated that based on the Self Declaration provided by the Developer, NSC may not be required.	
	Minimum area requirements in terms of Rule 5 of SEZ Rules, 2006:	Yes, Condition met	
	Fulfillment of minimum land area requirement in terms of the Rule 5 of the SEZ Rules, 2006 (No minimum land area requirement for IT/ITES sector. However, minimum Built-up processing area of 25,000 sq.mt. is required for Category "C" cities)	DC has stated that the Developer proposed to construct 3 million sq.ft. (0.28 million sq.mt.) built-up area.	
	Details to be furnished for issue of notification for declaration of an area as SEZ in terms of Rule 7 of SEZ Rules, 2006:		
	Certificate from the concerned State Government or its authorized agency stating that the Developer(s) have;		
i)	Legal possession	Yes , Handing Over Possession Certificate for all three plots provided	
ii)	Irrevocable rights to develop the said area as SEZ	Yes , provided	Yes , provided
iii)	that the said area is free from all encumbrances	Yes , provided	Yes , provided
iv)	Where the Developer has leasehold right over the identified area, the lease shall be for a period not less than twenty years	Yes , Lease deed dated 22.08.2019 provided on lease of 99 years	Not available
v)	The identified area shall be Contiguous, Vacant and No public thoroughfare	The entire land spread over the above Plots are barren land and also vacant. There are no private lands, poramboke land, temples, public tanks, canals, railway lines in the two plots and additional land allotted to M/s. TCS by M/s. SIPCOT Ltd. Thus, the Contiguity of the SEZ has been established by M/s. TCS.	

Recommendation by DC, MEPZ:

DC has recommended the proposal for notification of 7.67 Ha spread over plot nos. H-11/1B, H-11/2 and H-11/1C for consideration and approval.

As M/s. TCS was already granted in-principle approval over an area of 7.39 Ha and formal approval for one plot spread over an area of 4.15 Ha., BoA may consider the request for formal approval for the remaining area of 3.52 (7.67-4.15) Ha spread over the other two plots as the condition of contiguity has been fulfilled. However, the remaining documents in respect of the additional area of 0.28 Ha are required to be furnished by the developer and if the BoA considers to grant formal approval for the proposed area of 3.52 Ha, the same may be subject to submission of the remaining documents by the developer to the satisfaction of DC, MEPZ.

Observation of DoC:

The remaining documents in respect of the additional area of 0.28 Ha, which is intervening between the two plots of the TCS, i.e., State Government's recommendation, Irrevocable rights to develop the said area as SEZ and free from all encumbrances have been construed as part of offer of SIPCOT to the TCS. Separate documents are not there on record which are to be submitted by the Developer.

The request is submitted for consideration of the BoA.

97.4(ii) Request of M/s. Larsen & Toubro Infotech Ltd. (LTI) for obtaining Formal Approval for setting up of a Sector Specific SEZ for IT/ITES at Plot No. EL-200(Part), TTC Industrial Area, Village Mahape, Navi Mumbai over an area of 2.098 hectares.

S. No.	Conditions /Documents required	Status
A.	Documents required for setting up of SEZ in terms of Rule 3 of SEZ Rules, 2006:	
(i)	Completed Form-A (with enclosures) A. Total Proposed investment : Rs.62,303.06 Lakhs B. FDI (in US \$) : Nil C. Source of FDI : Not Applicable D. Proposed Exports : Rs.25,081.01 Lakhs E. Employment (in Nos.) : 7,650 Nos. (Both Dir. InDir.) Rs. 1,739 Lakhs F. Equity till 31 st March2018 :	Yes, provided
(ii)	DC's Inspection Report	Yes, provided (As per the guidelines of MoC&I, DC, SEEPZ along with officials of MIDC visited the site on 26.02.2020)
(iii)	State Government's Recommendation	Yes, provided (The Govt. of Maharashtra vide letters dated 24.02.2020 and 05.03.2020 has recommended the application of M/s. L & T for setting up of a Sector Specific SEZ for IT/ITES)
(iv)	Recommendation for National Security Clearance (NSC) from Ministry of Home Affairs as per Rule 3 of SEZ Rules, 2006.	DC has stated that as per revised guidelines of MHA, NSC is not required. Self declaration of the

		Developer has been provided.
B.	Minimum area requirement in terms of Rule 5 of SEZ Rules, 2006. (No minimum land area requirement for IT/ITES SEZ Sector. However, minimum built-up processing area of 50,000 Sq.mtrs. is required for Category 'A' City)	The Developer has proposed to built an area of 1,29,599.08 sq.mtrs. (initial approval has been submitted for 59,881.88 sq.mtrs. built up area of the SEZ as per GoM letters dated 24.02.2020 & 05.03.2020)
C.	Details to be furnished in terms of Rule 7 of SEZ Rules, 2006:	
	(v) Certificate from the concerned State Government or its authorised agency stating that the Developer has: <ul style="list-style-type: none"> • Legal Possession, and • Irrevocable rights to develop the said area as SEZ, and • That the said area is free from all encumbrances. 	Govt. of Maharashtra/MIDC has certified the following : <ul style="list-style-type: none"> a. M/s. L&T is in legal possession of the said area. b. Developer has developments rights to develop the identified area as SEZ as per Rule 7(1) of SEZ Rules, 2006. c. The said area is free from all encumbrances, title free and marketable
	(vi) Where the Developer has leasehold right over the identified area, the lease shall be for a period not less than twenty years	Yes, Lease Deed dated 11.02.2002 made with MIDC for 95 years has been provided.
	(vii) The identified area shall be Contiguous, Vacant and No public thoroughfare	MIDC has certified that the identified area is contiguous and has no public thoroughfare. There is construction of 13,750.92 sq.mtrs. BuA on the plot. As regards construction of 13,750.92 sq.mtrs., DC in his Inspection Report has mentioned that no commercial or economic activity is in progress in such pre-existing structure. The land area is vacant in terms of Rule 2(zf) of the SEZ Rules, 2006.

Recommendation of DC:

DC, SEEPZ, SEZ has recommended the proposal of M/s. Larsen & Toubro Infotech Ltd. (LTI) for obtaining formal approval setting up of a Sector Specific SEZ for IT/ITES at Plot No. EL-200(Part), TTC Industrial Area, Village Mahape, Navi Mumbai over an area of 2.098 hectares.
