

**Agenda for the 77th meeting of the Board of Approval to be held on
12th May, 2017, at 11.00 A.M. in the Room No. 47, Udyog Bhawan, New Delhi**

Item No. 77.1: Requests for extension of validity of formal approvals (7 proposals)

BoA in its meeting held on 14th September, 2012, examining similar cases observed as under: -

*“The Board advised the Development Commissioners to recommend the requests for extension of formal approval beyond 5th year and onwards only after satisfying that the developer has taken sufficient steps towards operationalisation of the project and further extension is based on justifiable reasons. Board also observed that extensions may not be granted as a matter of routine unless some progress has been made on ground by the developers. **The Board, therefore, after deliberations, extended the validity of the formal approval to the requests for extensions beyond fifth years for a period of one year and those beyond sixth year for a period of 6 months from the date of expiry of last extension**”.*

(i) Request of M/s. Electronics Technology Parks-Kerala for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Pallipuram and Veiloor Village, Trivandrum, Kerala, beyond 15th May, 2017

Name of the developer: M/s. Electronics Technology Parks-Kerala (fully owned by Government of Kerala)

Sector : IT/ITES

Location: Pallipuram and Veiloor Village, Trivandrum, Kerala

Extension : Formal approval to the developer was granted on 16th May, 2012. The developer has been granted two extensions, validity period of which was upto 15th May, 2017. The developer has requested for further extension upto **15th May, 2018**. The SEZ stands notified as on date.

The developer has made following investments.

(a) Details of business Plan:-

| S. No | Type of cost | Proposed Investment (Rs. in lakhs) |
|-------|-------------------|------------------------------------|
| 1. | Land Cost | 10800 |
| 2. | Construction Cost | 75000 |
| | Total | 85800 |

(b) Investment made so far & incremental investment since last extension:-

| S. No. | Type of Cost | Total Investment made so far (Rs. in lakhs) up to March, 2017 | Incremental investment since last extension (Rs. in lakhs) i.e. up to 2016-17 |
|--------|----------------------|---|---|
| 1. | Land cost | 10800 | Nil |
| 2. | Material Procurement | 25 | 25 |
| | Total | 10825 | 25 |

(c) Details of physical progress till date:-

| S. No. | Authorised activity | % completion as on date up to March 2017 | % completion during last one year (2016-17) | Deadline for completion of balance work |
|--------|---------------------|--|---|---|
| 1. | Boundary Wall | 5 | 0 | 23.01.2018 |

Reason for delay as mentioned by developer:

- (i) Change in Government Policies
- (ii) Delay in settling local land issues
- (iii) Delay in investment allocation from Government of Kerala through budget, there was model code of conduct during election
- (iv) Awaiting final approval from various regulatory agencies.

No significant physical development or incremental investment has been made however, DC CSEZ has recommended the proposal for extension for a period of one year.

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

(ii) Request of M/s. Electronics Technology Parks-Kerala for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Andoorkonam village, Trivandrum, Kerala, beyond 15th May, 2017

Name of the developer: M/s. Electronics Technology Parks-Kerala (fully owned by Government of Kerala)

Sector : IT/ITES

Location: Andoorkonam village, Trivandrum, Kerala

Extension : Formal approval to the developer was granted on 16th May, 2012. The developer has been granted two extensions, validity period of which was upto 27th March, 2017. The developer has requested for further extension upto **15th May, 2018**. The SEZ stands notified as on date.

The developer has made following investments.

(a) Details of business Plan:-

| S. No | Type of cost | Proposed Investment (Rs. in lakhs) |
|-------|-------------------|------------------------------------|
| 1. | Land Cost | 6600 |
| 2. | Construction Cost | 50000 |
| | Total | 56600 |

(b) Investment made so far & incremental investment since last extension:-

| S. No. | Type of Cost | Total Investment made so far (Rs. in lakhs) up to March, 2017 | Incremental investment since last extension (Rs. in lakhs) i.e. up to 2016-17 |
|--------|---|---|---|
| 1. | Land cost | 6600 | Nil |
| 2. | Material Procurement cost and overheads | 325 | 325 |
| | Total | 6925 | 325 |

(c) Details of physical progress till date:-

| S. No. | Authorised activity | % completion as on date up to March 2017 | % completion during last one year (2016-17) | Deadline for completion of balance work |
|--------|---------------------|--|---|---|
| 1. | 20 lakh litres sump | -- | 100 | Completed |

Reason for delay mentioned by developer:

- (i) Change in Government Policies
- (ii) Delay in settling local land issues
- (iii) Delay in investment allocation from Government of Kerala through budget, there was model code of conduct during election
- (iv) Awaiting final approval from various regulatory agencies.

No significant physical development or incremental investment has been made however, DC CSEZ has recommended the proposal for extension for a period of one year.

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

(iii) Request of M/s. Wipro Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Sarjapur, Anekal Taluk, Bangalore Urban District, Karnataka, beyond 15th May, 2017

Name of the developer: M/s. Wipro Limited

Sector : IT/ITES

Location: Sarjapur, Anekal Taluk, Bangalore Urban District, Karnataka

Extension : Formal approval to the developer was granted on 16th May, 2012. The developer has been granted two extensions, validity period of which is upto 16th May, 2017. The developer has requested for further extension upto **16th May, 2018**. The SEZ is yet to be notified.

The developer has requested for further extension and has given the following reasons for delay:-

They have been interacting with the land Revenue Authority of Govt. of Karnataka for past couple of years to obtain the documents such as:-

- (i) List of Survey Nos. on the proposed SEZ with area of each Survey Nos. with hectares/acres certified by Land Revenue Authority of State Govt.
- (ii) Map of the area with boundaries & Survey Nos., duly certified by land Revenue Authority of State Govt.

The developer has made following investments:-

- The developer has stated that they may invest around Rs. 2.50 crore for construction of boundary wall in the first year after the land notification details are received.
- They are also proposed to construct by 5 lakh sq.ft. area office building in first phase investing around Rs. 153 crore in the next 4 years and for construction of same area of office building in second phase by investing another Rs. 150 crore in fifth year.
- This investment of Rs. 305 crore includes investment towards building design, master plan and statutory approvals.

However, no significant physical progress appears to have been made however, DC CSEZ has recommended the proposal for extension for a period of one year.

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

(iv) Request of M/s. Wipro Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Kodathi village, Varthur Hobli, Sarjapur Road, Bangalore, beyond 26th May, 2017

Name of the developer: M/s. Wipro Limited

Sector : IT/ITES

Location: Kodathi village, Varthur Hobli, Sarjapur Road, Bangalore

Extension : Formal approval to the developer was granted on 27th May, 2011. The developer has been granted three extensions, validity period of which is upto 26th May, 2017. The developer has requested for further extension upto **26th May, 2018**. The SEZ stands notified as on date.

The developer has requested for further extension up to 26.05.2018.

The developer has shown significant progress in construction of the Software Development Blocks having invested Rs. 160.3 crores as on February 2017 and also contract awarded with commencement for 4.3 Million sq.ft of construction to employ 25000 people.

Further, the developer has informed that they have made total investment of Rs. 160.3 crores and UAC meeting held on 27.02.2017 had approved setting up of a new unit in Wipro Ltd. SEZ.

DC CSEZ has recommended the proposal for extension for a period of one year.

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

(v) Request of M/s. Calica Construction and Impex Pvt. Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Ognaj, Taluka Dascroi, District Ahmedabad, Gujarat, beyond 6th May, 2017

Name of the developer: M/s. Calica Construction and Impex Pvt. Ltd.

Sector : IT/ITES

Location: Village Ognaj, Taluka Dascroi, District Ahmedabad, Gujarat

Extension: The developer has been granted eight extensions, validity period of which is upto 6th May, 2017.

Basic facts: Formal approval to the developer was granted on 6th November, 2006. The SEZ stands notified as on date.

The developer has requested for further extension.

The developer has made following development work:-

- (i) They have constructed 12000 sq.ft new building towards incubation centre at SEZ gate where plug and play facility for IT/ITES units ready.
- (ii) Two units viz. M/s. Pramukh WebTechnology LLP and M/s. Gamaxo Technolab have approached them for setting up unit in Incubation Centre.
- (iii) Out of above two units, one unit M/s. Pramukh WebTechnology LLP has already applied on SEZ Online System for issuance of Letter of Approval for setting up an unit in incubation centre constructed by them.
- (iv) They have arranged internet lease line from the service provider to be used by the units.
- (v) **The developer has made an incremental investment** of Rs. 62.90 lakhs and co-developer has made an incremental investment of Rs. 105.86 lakhs till date since last extension i.e. 07.05.2016. Total incremental investment in SEZ since last extension comes to Rs. 1.70 crores.
- (vi) Till date invested about Rs. 2 crores on land and Rs. 17.70 crores towards creating infrastructure.
- (vii) It has been proposed to complete the project within one year.

As regards, the overall development work accomplished, the developer is:-

- (i) Increasing height of compound wall;
- (ii) Construction of Internal Roads completed;
- (iii) Office premises for Customs staff is ready;
- (iv) Bore well for water supply constructed; and
- (v) Obtained electricity supply for the SEZ.

They have also obtained various mandatory/statutory approvals from the Central/State Governments and Local authorities, like i) Plan Approval from the Government of Gujarat; ii) Permission from the Airport Authority of India; and iii) Permission from Fire Department of Local Body.

DC KASEZ has recommended the proposal for further extension.

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

(vi) Request of M/s. SNP Infrastructure LLP for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Pallavaram village, Tambaram Taluk, Kancheepuram District, Tamil Nadu, beyond 24th June, 2017.

Name of the developer: M/s. SNP Infrastructure LLP

Sector : IT/ITES

Location: Pallavaram village, Tambaram Taluk, Kancheepuram District, Tamil Nadu

Extension: The developer has been granted six extensions, validity period of which is upto 24th June, 2017.

Basic facts: Formal approval to the developer was granted on 25th June, 2007. The developer has been granted six extensions, validity period of which is upto 24th June, 2017. The developer has requested for further extension upto **24.06.2020**.

DC MEPZ has stated that the developer is a very well renowned company in carrying out SEZ projects and are already handling more than four SEZ projects in various parts of the country. Also they are financially strong & deeply committed to the project. The work at site is at full swing with more than 800 laboures working in shifts. The cost of construction as per EPDPL estimate is about Rs. 1050 crores and has already made an expenditure of Rs. 200 crores in this year so far. The balance amount is likely to be expended in the next 2 years.

DC MEPZ has recommended the proposal for extension of validity of formal approval.

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

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

(vii) Request of M/s DLF Info Park, (Pune) Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Rajiv Gandhi Infotech Park, Phase-II, Hinjewadi, Pune, Maharashtra beyond 26.06.2017.

Name of the developer: M/s DLF Info Park, (Pune) Ltd.

Sector : IT/ITES

Location: Rajiv Gandhi Infotech Park, Phase-II, Hinjewadi, Pune, Maharashtra

Extension : Formal approval to the developer was granted on 27.06.2008. The developer has been granted six extensions, validity period of which is upto 26.06, 2017. The developer has requested for further extension upto **26.06, 2018**. The SEZ stands notified as on date.

i. Business plan and Investment made:-

Invested Rs. 262,03,71,309/- on land, development of the SEZ site and construction of the building;

| | |
|--|---------------------------|
| (a) Cost Incurred on land | Rs. 26.64 crores |
| (b) Cost incurred on development of land | Rs. 161.89 crores |
| (c) Cost incurred on other external developments | Rs. 73.49 crores |
| Total | <u>Rs. 262.02 crores.</u> |

ii. Incremental investment:

(a) Financial progress

| Description | Investment made till March 2016 (Rs. in crores) | Investment made from March 2016 to 28 th Feb 2017 (Rs. in crores) | Incremental investment made from last extension date 26 th June, 2016 till date (Rs. in crores) |
|--|---|--|--|
| Cost incurred on land | 26.64 | 26.64 | 0.00 |
| Cost incurred on development of land | 137.14 | 161.89 | 24.75 |
| Cost incurred on other external developments | 73.49 | 73.49 | 0.00 |
| Total | 237.27 | 262.02 | 24.75 |

(b) Physical progress:-

| Block No. | Construction work completed | Part Occupation area and consent to operate (CTO) area approved | Remark |
|-----------|-----------------------------|---|---------------|
| | Civil work | | |
| 5 | 70% | 26,354.76 sq. mtr. | Total area of |

| | | | |
|---|-----|-----------------|--|
| 6 | 38% | 1880.59 sq. mtr | 28235.35 sq. mtr. (20%) area has been approved for occupation/leasing |
| 7 | 36% | | |

Other developments:-

1. Boundary wall: 80% completed, 20% secured by GI sheets
2. Plumbing work: 50% in building No. 5 (work in progress)
3. Inside Roads: 60% (work in progress)
4. Power supply: Un-interrupted power supply through DG sets for permanent power supply already application has been filed with MSEDCL (Approvals in progress)
5. External electrification: 50% completed.

Reason for delay:-

- (a) Master plan layout (Building plan approval) approved by MIDC in June, 2016.
- (b) Obtained 20% part occupation certificate from Special Planning Authority in November, 2016
- (c) Finalisation of the clients delayed due to GST implementation
- (d) Construction of underpass delayed due to approval from Gram Panchayat and intervenance of Zilla Parishad has sought on the issue. Approval from MIDC is awaited.

DC SEEPZ SEZ has recommended the proposal for a period of one year for consideration by BoA.

The proposal is placed before BoA for its consideration.

Item No. 77.2: Requests for extension of validity of in-principle approval (2 proposals)

(i) Proposal of M/s. Avash Logistic Park Private Limited for extension of the validity of in-principle approval for setting up of a FTWZ at villages Mota Layaja, Godhara & Bayath Taluka – Mandvi, District Kutch, Gujarat, beyond 12th May 2017

In-principle approval was granted afresh to the developer on 13.05.2014 over an area of 496 hectares. The developer has been granted two extensions. The validity of last extension is up to 12th May, 2017.

The main incremental work done during the year 2016-2017 is as under:-

- (i) Private Land for FTWZ acquired at Tal. Mandvi, District Kutch – 1239 acres.
- (ii) Conversion (NA) of 6 acres completed in 2016-17 and total of 730 acres completed till date
- (iii) Applications have been made to M/o Environment & Forests for Environment Clearance in December, 2014 and to Gujarat Coastal Zone Management Authority (GCZMA) for Coastal Regulation Zone (CRZ) Clearance in January, 2015.
- (iv) Sea Turtle Nesting Study and Sand Dune Study have been completed and submitted to CGZMA after which GCZMA has recommended the project for CRZ clearance to MoEF&CC, in June, 2016.

- (v) CRZ clearance for the SEZ project is in progress and the EC for the SEZ is expected shortly. Final CTE for the SEZ/FTWZ project has been received on 07.03.2017.
- (vi) Corporate Social Responsibility (CR) activities in the project area have been initiated.
- (vii) An investment of Rs. 1386.8 lakhs has been made during the financial year 2016-2017.

DC KASEZ has recommended extension of in-principle approval.

The case is, accordingly, placed before BoA for consideration.

(ii) Proposal of M/s. Sealand Ports Private Limited for extension of the validity of in-principle approval for setting up of multi product SEZ at Villages – Layaja, Ratadiya, Godhra, Bayath & Undoth, Taluka – Mandvi, District-Kutch, Gujarat, beyond 12th May, 2017

In-principle approval was granted afresh to the developer on 13.05.2014 over an area of 1112 hectares. The developer has been granted two extensions. The validity of last extension is up to 12th May, 2017.

The main incremental work done during the year 2016-2017 is as under:-

- (i) Private Land for FTWZ acquired at Tal. Mandvi, District Kutch – 1613 acres.
- (ii) Conversion (NA) of 14.5 acres completed in 2016-17 and total of 927 acres completed till date
- (iii) Applications have been made to M/o Environment & Forests for Environment Clearance in December, 2014 and to Gujarat Coastal Zone Management Authority (GCZMA) for Coastal Regulation Zone (CRZ) Clearance in January, 2015.
- (iv) Sea Turtle Nesting Study and Sand Dune Study have been completed and submitted to CGZMA after which GCZMA has recommended the project for CRZ clearance to MoEF&CC, in June, 2016.
- (v) CRZ clearance for the SEZ project is in progress and the EC for the SEZ is expected shortly. Final CTE for the SEZ/FTWZ project has been received on 07.03.2017.
- (vi) Corporate Social Responsibility (CR) activities in the project area have been initiated.
- (vii) An investment of Rs. 2553.5 lakhs has been made during the financial year 2016-2017.

DC KASEZ has recommended extension of in-principle approval.

The case is, accordingly, placed before BoA for consideration.

Item No. 77.3 Requests for extension of LoP beyond 3rd Year onwards (3 proposals)

- As per Rule 18(1) of the SEZ Rules, the approval Committee may approve or reject a proposal for setting up of Unit in a Special Economic Zone.
- Cases for consideration of extension of Letter of Permission (LoP)s i.r.o units in SEZs are governed by Rule 19(4) of SEZ Rules.
- Rule 19(4) states that an LoP shall be valid for one year. First Proviso grants power to DCs for extending the LoP not exceeding 2 years. Second Proviso grants

further power to DCs for extending the LoP for one more year but subject to the condition that two-thirds of activities including construction, relating to the setting up of the Unit is complete and a Chartered Engineer's certificate to this effect is submitted by the entrepreneur.

- Extensions beyond 3rd year (*in cases where two-third activities are not complete*) and 4th year are granted by BoA.
- BoA can extend the validity for a period of one year at a time.
- There is no time limit up to which the Board can extend the validity

(i) Request of M/s. Wockhardt Ltd., unit 2 in the sector specific SEZ for Pharmaceuticals being developed by M/s. Wockhardt Infrastructure Development Limited at Shendre, Aurangabad, Maharashtra for extension of Letter of Permission (LOP) beyond 25th February, 2017.

- **LoP issued:** 25th February, 2013, for manufacturing and export of Nasal and Inhaler Dosage form for Human Usage.
- **Extensions:** 3 (three) up to 24.02.2017 by DC SEEPZ SEZ.
- **Request:** For further extension for one year.

The unit has requested for further extension.

The unit has made the following investment made till date:-

| | |
|--|---|
| Investment | Rs. 81 crores |
| Incremental Investment made since last extension | Rs. 17 crores |
| Physical progress till date | Since the last extension, the unit has completed 10 % of the construction work. Total 85% of construction work has been completed |

DC SEEPZ SEZ has recommended the request of extension of LoP for a period of one year.

The request is placed before BoA for its consideration.

(ii) Request of M/s. BEML Limited, a unit in KIADB SEZ, Bangalore for extension of LoP beyond 5th January, 2017

- **LoP issued:** 6th January, 2012 for manufacture and export of Aerospace Mechanical Components.
- **Extensions:** 4 (four) up to 6th January, 2017.
- **Request:** For further extension.

The unit has made the following investment/plans:-

- (i) The unit could not implement the project since the Civil & PEB works awarded to the contractor have been hampered and construction work has

come to standstill on account of invocation of arbitration proceedings by the contractor, M/s. URC Constructions (P) Ltd.

- (ii) The unit have spent an amount of Rs. 65.94 crores towards land, construction of compound wall, machinery and other statutory fee etc.

DC, CSEZ, has stated that the power to grant extension beyond 4th year vests with the Board of Approvals as per proviso to Rule 19 (4) of SEZ rules. Considering the huge investment of Rs. 65.94 crore made by the unit and also taking into account the court proceedings, the request of the unit for extension of the validity of the LoA for the 6th year (fifth extension) w.e.f. 06.01.2017 may be considered favourably.

The request is placed before BoA for its consideration.

(iii) Request of M/s. Dhoot Transmission Pvt. Ltd., a unit in the sector specific SEZ for Engineering and Electronics being developed by M/s. Maharashtra Industrial Development Corporation (MIDC) at Shendre, Five Star Industrial Area, Shendre, MIDC, Aurangabad for extension of Letter of Permission (LOP) beyond 17.04.2017.

- **LoP issued:** 18th April, 2013, for Integrated wiring harness, auto wiring harness/cable
- **Extensions:** 3 (three) up to 17.04.2017.
- **Request:** For further extension for one year.

The unit has requested for further extension.

(a) Incremental Investment:

(i) Financial Progress:

| Total investment made till April 2016 (Rs. in lakhs) | Total Investment made till April 2017 (Rs. in lakhs) | Incremental investment made from extension date till date (30.04.2017) Rs. in lakhs |
|--|--|---|
| 307 | 462.19 | 154.99 |

(b) Physical Progress:-

| Construction work | % of work completed |
|-------------------------------|---------------------|
| Civil work (Factory Building) | 50% |

(c) Details of current physical progress:-

1. The leveling work of the plot has been done and construction of the factory building of the unit is in progress
2. Kachcha approach road within and outside the factory premises has been made

Reason for delay:-

The unit received the possession of the revised plot on 21.10.2015 from MIDC as MIDC had shifted the plot of the unit for the purpose of setting up of power station on the plot allotted to the unit earlier. The action on the part of MIDC with regard to shifting of plot

has caused a considerable delay in implementing the project and also the unit had to incur financial losses as a result of non-implementation of the project.

DC SEEPZ SEZ has recommended the request of extension of LoP for a period of one year.

The request is placed before BoA for its consideration.

Item No. 77.4 Requests for co-developer (1 proposal)

(i) Request of M/s. Embassy Services Private Limited for co-developer in the sector specific SEZ for IT/ITES at Pallavaram village, Tambaram Taluk, Kancheepuram District, Tamil Nadu being developed by M/s. SNP Infrastructure LLP

The above mentioned SEZ stands notified over an area 11.14.7 hectares.

M/s. Embassy Services Private Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for operation and maintenance of building and other infrastructure/facilities at the SEZ.

Co-developer agreement dated 20th March, 2017 entered into with the developer has been provided. The proposed amount of investment by the co-developer in the SEZ is Rs. 5 crores.

DC MEPZ has recommended the proposal.

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

Item No. 77.5 : Change of Shareholding Pattern Cases (11 proposals)

With a view to promote the ease of doing business in India and that restructuring of entity/ business is a fairly common occurrence, BOA in its 69th meeting held on 23.02.2016 decided that provisions of Rule 74A shall not apply to SEZ Units that do not exit or opt out of the SEZ Scheme by transferring its assets and liabilities to another person and the SEZ Unit continues to operate as a going concern in the situations mentioned above. The UACs concerned, may consider such requests under Rule 19(2) of the SEZ Rules, 2006.

In so far as Business Transfer Agreement is concerned, it was explained that certain acquisitions happen globally as a result of Business Transfer Agreement which result in transfer of the SEZ unit of the Indian company on a going concern basis to the acquirer. The BOA decided that such cases resulting in change of ownership would be decided on merits by the Board of Approvals on a case to case basis.

*** Proposal to incorporate the above decision of BoA in SEZ Rules, 2006 has been approved and was sent to DLA for vetting.**

(i) Request of M/s. GlobalEnglish India Private Ltd., a unit in ELCOT SEZ, Sholinganallur, Chennai for transfer of shares exceeding 50% to another entity.

The above mentioned unit was granted LoP on 10.10.2012 for undertaking authorized operations and development of software services in IT/ITES Section.

Details of shareholding pattern of the company post transfer is given below:

Shareholding pattern prior to transfer

| Name of shareholder | No. of shares held | % of shareholding |
|---|--------------------|-------------------|
| M/s. Pearson Education South Asia Private Ltd., Singapore | 100,298 | 99.99% |
| IndiaCan Education Private Ltd. | 2 | 0.01% |

| Name of shareholder | No. of shares held | % of shareholding |
|--|--------------------|-------------------|
| M/s. GlobalEnglish Corporation (formerly known as Pearson English Corporation), California | 100,298 | 99.99% |
| IndiaCan Education Private Ltd. | 2 | 0.01% |

The unit is not opting out from the SEZ and there is a 99.99% change in promoter and shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC MEPZ has forwarded the proposal for consideration of BoA.

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

(ii) Request of M/s. Appirio India Cloud Solutions Pvt. Ltd., a unit in Mahindra World City (Jaipur) Ltd., IT/ITES SEZ at Jaipur (Rajasthan) for change of shareholding of the company.

The above mentioned unit was granted LoP on 09.09.2013 for undertaking authorized operations and development of software services in IT/ITES Section and has valid LoP till 18.12.2018.

Shareholding pattern as on 09.09.2013 (Prior to change in shareholding)

| S. No. | Name of shareholder | No. of equity of shares held | % of shareholding |
|--------|---------------------|------------------------------|-------------------|
| 1. | Appirio Inc. | 799999 | 99.99% |
| 2. | Appirio Co. Ltd. | 1 | 0.01% |
| | Total | 800000 | 100.00% |

Shareholding pattern as on 22.11.2016 (After change in shareholding)

| S. No. | Name of shareholder | No. of equity of shares held | % of shareholding |
|--------|---|------------------------------|-------------------|
| 1. | Wipro Ltd. | 799999 | 99.99% |
| 2. | Bhanumurthy B M jointly with Wipro Ltd. | 1 | 0.01% |
| | Total | 800000 | 100.00% |

The unit is not opting out from the SEZ and there is a 100% change in promoter and shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC NSEZ has recommended the proposal for consideration of BoA.

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

(iii) Request of M/s. Sparknova Private Limited., a unit in Electronics Technology Parks SEZ-III in Attipra Village, Thiruvananthapuram for transfer of 100% shares

The above mentioned unit was granted LoP on 24.10.2014 for designing, developing and deploying enterprise-wide software solutions to clients.

The unit has requested permission for transfer of shares, as existing Directors are proposed to resign and new share holders with 100% share transfer taking over the company as described below:-

| S. No. | Name of the existing shareholders | Current shareholding pattern (before transfer as on 13.03.2017) | | Name of the proposed share holders | Proposed shareholding pattern | |
|--------|-----------------------------------|---|--------|------------------------------------|-------------------------------|--------|
| | | No. of shares of 10 each | % | | No. of shares of 10 each | % |
| 1. | Salim | 2667 | 26.67% | Ratheesh Ravindran | 500 | 5.00% |
| 2. | Sheeja Salim | 2667 | 26.67% | J. Soundarapandian | 7000 | 70.00% |
| 3. | Sajan Ebrahim Salim | 2666 | 26.66% | Nallammal Ramasamy | 2500 | 25.00% |
| 4. | Vineeth Gopinathan Nair | 2000 | 20.00% | | | |
| | Total | 10000 | 100% | | 10000 | 100% |

The unit is not opting out from the SEZ and there is a 100% change in promoter and shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC CSEZ has recommended the proposal for consideration of BoA.

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

(iv) Request of M/s. US Technology International Private Limited (USTIPL), a co-developer in the sector specific SEZ for IT/ITES at Kuzhuvilla, Thiruvananthapuram being developed by Electronics Technology Parks SEZ-II for transfer of 100% shares

M/s. US Technology International Private Limited was granted co-developers status on 22nd June, 2007.

Now, the co-developer has permission for their proposed 100% transfer of shares in tune with consolidation of their business operations internationally within the group of the company managed by M/s. UST. The current shareholding pattern and the proposed shareholding pattern of USTIPL is given below:

| S. No. | Shareholder | Current shareholding pattern | | Proposed shareholding pattern | |
|--------|---|------------------------------|------|-------------------------------|------|
| | | No. of shares | % | No. of shares | % |
| 1. | UST Global Investment (Mauritius) Private Limited | 5,321,752 | 100% | -- | -- |
| 2. | UST Singapore Pte Limited | -- | -- | 5,321,752 | 100% |
| | Total | 5,321,752 | 100% | 5,321,752 | 100% |

The unit is not opting out from the SEZ and there is a 100% change in promoter and shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC CSEZ has recommended the proposal for consideration of BoA.

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

(v) Request of M/s. UST Global Information Technology Parks Private Limited (USTGPL), a co-developer in the sector specific SEZ for IT/ITES at Attipra Village, Kuzhuvilla, Thiruvananthapuram being developed by Electronics Technology Parks-Kerala (Technopark- Phase-II) for transfer of 100% shares

M/s. UST Global Information Technology Parks Private Limited (USTGPL) was granted co-developers status on 22nd December, 2009.

Now, the co-developer has permission for their proposed 100% transfer of shares in tune with consolidation of their business operations internationally within the group of the company managed by M/s. UST vide their letter dated 22.02.2017. The current shareholding pattern and the proposed shareholding pattern of USTGPL is given below:

| S. No. | Shareholder | Current shareholding pattern | | Proposed shareholding pattern | |
|--------|---|------------------------------|--------|-------------------------------|--------|
| | | No. of shares | % | No. of shares | % |
| 1. | UST Global Singapore Pte Limited | 1,034,110 | 99.04% | -- | -- |
| 2. | UST Global Investment (Mauritius) Private Limited | -- | -- | 1,034,110 | 99.04% |
| 3. | US Technology International Private Limited | 10,000 | 0.96% | 10,000 | 0.96% |
| | Total | 1,044,110 | 100% | 1,044,110 | 100% |

The unit is not opting out from the SEZ and there is a 100% change in promoter and shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC CSEZ has recommended the proposal for consideration of BoA.

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

(vi) Request of M/s. iGate Global Solutions Ltd. under the jurisdiction of KASEZ for change of name to M/s. Capgemini Technology Services India Limited and change in shareholding of the company.

M/s. iGate Global Solutions Ltd., a unit in M/s. Aqualine Properties Ltd. a sector specific SEZ for IT/ITES has been granted LoA on 27.08.2010 (in the name of M/s. Patni Computer Systems Ltd.) which is valid up to 28.10.2020.

The shareholding pattern of the applicant i.e. M/s. iGate Global Solutions Limited prior to amalgamation of two companies M/s. iGate Global Solutions Limited and M/s. Capgemini India Private Limited and after amalgamation of scheme approved by the Mumbai High Court vide order dated 29.09.2016 is as under:-

| S. No. | Name of shareholder | % shareholding before change of name as on 28.10.2016 | % shareholding after change of name as on 31.12.2016 |
|---------------|-------------------------------|--|---|
| 1. | Pan Asia IGATE Solutions | 50.35% | 23.10% |
| 2. | IGATE Corporation | 47.05% | 21.58% |
| 3. | IGATE Technology Inc | 2.09% | 0.96% |
| 4. | Capgemini America Inc. | -- | 42.14% |
| 5. | Capgemini S.A. | -- | 11.99% |
| 6. | Bodies Corporate | 0.02% | 0.01% |
| 7. | HUF's | 0.02% | 0.01% |
| 8. | NBFC | 0.01% | 0.01% |
| 9. | Non Resident Indians | 0.01% | 0.01% |
| 10. | Employees | 0% | 0% |
| 11. | Indian Financial Institutions | 0% | 0% |
| 12. | Resident Individuals | 0.45% | 0.21% |
| | Total Share Capital | Rs. 2,71,28,234/- | Rs. 5,91,39,500/- |

It has further been stated that M/s IGATE Global Solutions Limited had been merged with M/s Capgemini India Private Ltd. It also appears that change in name of company was informed vide letter dated 22.12.2016 to RBI, New Delhi vide letter dated 30.12.2016 has informed the applicant to file such intimation before RBI, Mumbai Regional Office as the applicant company is registered in Pune.

The applicant has further submitted copy of order dated 29.09.2016 of Mumbai High Court in Company Scheme Petition No. 369 and 370 of 2016 connected with Company Summons for Direction No. 202 and 203 of 2016 along with scheme of amalgamation. As per the said order "In July 2015, IGATE Corporation was acquired by Capgemini North America Inc (Global Acquisition). Pursuant to global acquisition, of the same group of companies. The Capgemini Group has adopted a global entity reduction program (through Liquidations,

mergers, etc. in India and overseas) to combine entities in the Capgemini Group for the purpose of achieving operational efficiency and cost minimization through reduction of number of legal entities around the world, As a part of the above said arrangement, M/s. Capgemini India Private Limited was amalgamated with M/s. IGATE Global Solutions Ltd.

Further, as part of amalgamation scheme, the name of present applicant was changed from IGate Global Solutions Limited to M/s. Capgemini Technology Services India Limited w.e.f. 16.12.2016, the date on which RoC has accorded approval.

The unit is not opting out from the SEZ and there is more than 50% change in shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC KASEZ has recommended the proposal.

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

(vii) Request of M/s. IGate Global Solutions Ltd. a unit in M/s. Seaview Developers Pvt. Ltd. under the jurisdiction of NSEZ for change of name to M/s. Capgemini Technology Services India Limited and change in shareholding of the company.

M/s. iGate Global Solutions Ltd. has been granted LoA on 01.05.2014 for computer software development services including ITES such as back office operations, call centre and product engineering services. The unit had commenced its production on 31.10.2014. The LoA is valid up to 30.10.2019.

Details of changes in shareholding pattern of the company before & after change of name, as given below:-

| S. No. | Name of shareholder | % shareholding before change of name as on 28.10.2016 (pre-merger of Capgemini India Pvt. Ltd. with the company before change of name | % shareholding pattern of M/s. Capgemini Technology Services India Ltd. (formerly IGATE Global Solutions Ltd.) as on 30.12.2016 |
|--------|--------------------------|---|---|
| 1. | Pan Asia IGATE Solutions | 50.35% | 23.10% |
| 2. | IGATE Corporation | 47.05% | 21.58% |
| 3. | IGATE Technology Inc | 2.09% | 0.96% |
| 4. | Capgemini America Inc. | -- | 42.14% |
| 5. | Capgemini S.A. | -- | 11.99% |
| 6. | Bodies Corporate | 0.02% | 0.01% |
| 7. | HUF's | 0.02% | 0.01% |
| 8. | NBFC | 0.00% | 0.00% |
| 9. | Non Resident Indians | 0.01% | 0.01% |
| 10. | Employees | 0.00% | 0.00% |
| 11. | Indian Financial | 0.00% | 0.00% |

| | | | |
|-----|----------------------|---------|---------|
| | Institutions | | |
| 12. | Resident Individuals | 0.45% | 0.21% |
| | Total | 100.00% | 100.00% |

The unit is not opting out from the SEZ and there is a 54.13% change in shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC NSEZ has recommended the proposal.

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

(viii) Request of M/s. UnitedHealth Group Information Systems Pvt. Limited (unit-I & Unit-II), units in IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. Noida, for change of entrepreneur in the wake of merger with M/s. Optum Global Solutions (India) Pvt. Ltd. pursuant to scheme of amalgamation approved by Hon'ble National Company Law Tribunal, Hyderabad on 20.03.2017 and 100% change in shareholding pattern of the following units:-

- (i) The unit -1 was granted LoP on 02.05.2012 in M/s. Oxygen Business Park Pvt. Ltd.
- (ii) The unit - 2 was granted LoP on 21.09.2015 in M/s. Oxygen Business Park Pvt. Ltd.

Shareholding pattern (after amalgamation) of M/s. Optum Global Solutions (India) Pvt. Ltd. duly certified by CA. The details of shareholding pattern, before and after are as under:-

| Shareholding pattern of M/s. UnitedHealth Group Information Services Pvt. Ltd., as approved by the BoA held on 06.01.2017 (Before amalgamation) | | | Shareholding pattern of M/s. Optum Global Solutions (India) Pvt. Ltd. as on 12.04.2017 (After amalgamation) | | |
|--|------------------|---------|--|------------------|---------|
| Name of the shareholder | Number of shares | % share | Name of the shareholder | Number of shares | % share |
| Optum Global Solutions (India) Pvt. Ltd. (Out of 1,00,00,000 shares, 10 shares are held by UnitedHealth International Inc. as a nominee of Optum Global Solutions (India Pvt. Ltd.)) | 1,00,00,000 | 100% | Optum Global Solutions International BV (Out of 1872276 shares, 10 shares are held by UnitedHealth International Inc. as a nominee of Optum Global Solutions International (BV)) | 1872276 | 100% |

The unit is not opting out from the SEZ and there is a 100% change in shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC NSEZ has recommended the proposal.

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

(ix) Request of M/s. Annik Technology Services Pvt. Ltd. (Unit-I) under the jurisdiction of NSEZ for change of name to M/s. LiquidHub Analytics Private Limited and change in shareholding of the company.

M/s. Annik Technology Services Pvt. Ltd. (Unit-I), a unit in M/s. DLF Ltd. a sector specific SEZ for IT/ITES at Village Silokhera, Sector-30, Gurgaon, Haryana has been granted LoA on 08.08.2011 which is valid up to 09.05.2017. The unit had commenced operation w.e.f. 10.05.2012.

Shareholding pattern as on 20.06.2011:-

| Shareholder name | No. of equity shares hold | % shares |
|---------------------------------|---------------------------|----------|
| Vikas Srivastava | 35,51,895 | 9.94% |
| Rahul Sahgal | 1,70,77,047 | 47.80% |
| Quattro BPO Solutions Pvt. Ltd. | 1,42,07,598 | 39.76% |
| Vineet Malhotra | 3,71,025 | 1.04% |
| Suresh T Rajan | 3,71,035 | 1.04% |
| Rajan Mohanlal Kapur | 1,50,000 | 0.42% |
| Total | 3,57,28,610 | 100.00% |

Shareholding pattern as on 15.02.2017:-

| Shareholder name | No. of equity shares hold | % shares |
|------------------|---------------------------|----------|
| LiquidHub Inc. | 2,89,81,623 | 77.60% |
| Rahul Sahgal | 83,64,062 | 22.40% |
| Total | 3,73,45,685 | 100.00% |

The unit is not opting out from the SEZ and there is a more than 50% change in promoter and shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC NSEZ has forwarded the proposal for consideration of BoA.

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

(x) Request of M/s. Annik Technology Services Pvt. Ltd. (Unit-II) under the jurisdiction of NSEZ for change of name to M/s. LiquidHub Analytics Private Limited and change in shareholding of the company.

M/s. Annik Technology Services Pvt. Ltd. (Unit-II), a unit in M/s. DLF Ltd. a sector specific SEZ for IT/ITES at Village Silokhera, Sector-30, Gurgaon, Haryana has been granted LoA on 18.02.2015 which is valid up to 24.05.2020. The unit had commenced operation w.e.f. 25.05.2015.

Shareholding pattern as on 31.12.2014:-

| Shareholder name | No. of equity shares hold | % shares |
|------------------|---------------------------|----------|
| Vikas Srivastava | 35,51,895 | 9.55% |
| Rahul Sahgal | 1,95,61,588 | 52.61% |
| Ashish Dhawan | 62,15,824 | 16.72% |
| Vinay Mittal | 17,52,992 | 4.71% |

| | | |
|------------------------|-------------|---------|
| Vikas Srivastav (HUF) | 42,93,970 | 11.55% |
| Rajan Mohanlal Kapur | 32,935 | 0.88% |
| Ashok Chadha | 4,95,000 | 1.33% |
| Udai Srivastava | 7,11,500 | 1.91% |
| Prateek Krishan Chadha | 32,935 | 0.09% |
| Ashok Chadha HUF | 30,453 | 0.08% |
| Ms. Debbie Chadha | 30,710 | 0.08% |
| Deepak Kohli | 1,77,893 | 0.48% |
| Total | 3,71,82,553 | 100.00% |

Shareholding pattern as on 15.02.2017:-

| | | |
|------------------|---------------------------|----------|
| Shareholder name | No. of equity shares hold | % shares |
| LiquidHub Inc. | 2,89,81,623 | 77.60% |
| Rahul Sahgal | 83,64,062 | 22.40% |
| Total | 3,73,45,685 | 100.00% |

The unit is not opting out from the SEZ and there is more than 50% change in promoter and shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC NSEZ has forwarded the proposal for consideration of BoA.

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

(xi) Request of M/s. BA Continuum India Pvt. Ltd. (Unit-I & Unit-II), a unit in IT/ITES SEZ of M/s. Gurgaon Infospace Ltd., at Dundahera, Sector-21, Gurgaon, Haryana under the jurisdiction of NSEZ for change in shareholding pattern of the following units:-

- (i) The unit -1 was granted LoP on 20.12.2007 in M/s. Gurgaon Infospace Ltd.
- (ii) The unit - II was granted LoP on 04.10.2012 in M/s. Gurgaon Infospace Ltd.

The units vide its letter dated 09.03.2017 has submitted details of changes in shareholding pattern of the company w.e.f. 23.12.2015 & 30.12.2015, duly certified by Company Secretary, as given below:-

| Old Shareholder | | | New Shareholder | | |
|--|------------------|-------------|------------------------------------|------------------|-------------|
| Name of the shareholder | Number of shares | % share | Name of the shareholder | Number of shares | % share |
| BA Continuum Mauritius Holdings Ltd. | 7,27,57,498 | 99.9999972% | BACNA Singapore Holdings Pvt. Ltd. | 7,27,57,498 | 99.9999972% |
| BA Continuum Singapore International Holdings Ltd. | 2 | 0.0000027% | BAC North America Holding Company | 2 | 0.0000027% |

The unit is not opting out from the SEZ and there is a 100% change in shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC NSEZ has recommended the proposal.

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

Item No. 77.6 : Miscellaneous Cases (5 proposal)

(i) Request of M/s. AMRL Hitech City Ltd. a multi product SEZ at Nanguneri, Tirunelveli District, Tamil Nadu for declaration of Free Trade and Warehousing Zone in the SEZ

The above mentioned SEZ stands notified over an area of 1019.22.5 hectares.

M/s. AMRL Hitech City Limited has requested to declare the area of 42.73 hectares as Free Trade and Warehousing Zone (FTWZ).

Out of the total area of 42.73 hectares proposed to be declared as FTWZ, 10.49 hectares is currently leased to M/s. Ashray Logistics India Private Limited, a co-developer in AMRL Hitech City Limited who has been already approved as a co-developer by the BoA to provide integrated logistics solutions to industrial units including Warehousing facilities and supply chain management in the Zone.

DC MEPZ has requested that the proposal may be placed before BoA for consideration.

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

(ii) Request of M/s. Phoenix IT City Pvt. Ltd. setting up of sector specific SEZ for IT/ITES at Sy. No. 53/Paiki/part, Gachibowli village, Serilingampally Mandal, Ranga Reddy District, Telangana, for addition of area of 0.8 hectares.

M/s. Phoenix IT City Pvt. Ltd. was granted formal approval on 31st March, 2017, over an area of 1.78 hectares.

Now, the developer has requested to addition of 0.8 hectares of area (which is more than 10% of existing area) to the above mentioned SEZ thereby making the total area of SEZ is 1.78 hectares.

It may be noted that the SEZ is being developed on Development Agreement basis. As per Development Agreement, the owners are entitled for a built up area of 55,000 sq. ft. per acres.

DC VSEZ has recommended the proposal.

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

(iii) Request of M/s. Zydus Infrastructure Pvt. Ltd. setting up of sector specific SEZ for Pharmaceuticla products at Matoda, Sanand, Ahmedabad, for addition of area of 64.48.23 hectares.

M/s. Zydus Infrastructure Pvt. Ltd. stands notified over an area of 50.28.85 hectares.

Now, the developer has requested for addition of 64.48.23 hectares of area (which is more than 10% of existing area) to the above mentioned SEZ thereby making the total area of SEZ is 114.770800 hectares. State Government of Gujarat has recommended the proposal.

DC KSEZ has recommended the proposal.

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

(iv) Request of M/s. iGate Global Solutions Ltd. under the jurisdiction of SEEPZ for amalgamation of M/s. Capgemini India Pvt. Ltd. with M/s. iGate Global Solutions Ltd. and change of name/constitution to M/s. Capgemini Technology Services India Ltd.

M/s. iGate Global Solutions Ltd. (SEZ) has been granted formal approval on 14.02.2014 as sector specific SEZ for IT/ITES at Plot No. IT-3, IT-4, Airoli Knowledge Park, TTC Industrial Area, MIDC, Airoli, Navi Mumbai

Shareholding pattern before and after change of implementing agency:-

| S. No. | Name of share Holder | % of shareholding before change of name as on 28.10.2016 of iGate (A) (176/C) | | % of shareholding after change of name as on 30.12.2016 of Capgemini Technology (B) (171/C) | | % change (B-A) |
|--------|-------------------------------|---|-------------|---|-------------|----------------|
| | | No. of Holders | % to equity | No. of Holders | % to equity | |
| 1. | Pan Asia IGATE Solutions | 1 | 50.35 | 1 | 23.10 | -27.25 |
| 2. | IGATE Corporation | 2 | 47.05 | 2 | 21.58 | -25.47 |
| 3. | IGATE Technologies Inc. | 1 | 2.09 | 1 | 0.96 | -1.13 |
| 4. | Capgemini Americal Inc. | -- | -- | 1 | 42.14 | +42.14 |
| 5. | Capgemini S.A | -- | -- | 1 | 11.99 | +11.99 |
| 6. | Bodies Corporate | 132 | 0.02 | 133 | 0.01 | +1 |
| 7. | HUF's | 211 | 0.02 | 211 | 0.01 | 0 |
| 8. | NBFC | 1 | 0.00 | 1 | 0.00 | 0 |
| 9. | Non Resident Indians | 234 | 0.01 | 232 | 0.01 | -2 |
| 10. | Employees | 1 | 0.00 | 1 | 0.00 | 0 |
| 11. | Indian Financial Institutions | 1 | 0.00 | 1 | 0.00 | 0 |
| 12. | Resident Individuals | 12,525 | 0.45 | 12,526 | 0.21 | -24 |
| | Total change in shareholding | | | | | 54.13% |

The unit is not opting out from the SEZ and there is a 54.13% change in shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC SEEPZ SEZ has recommended the proposal.

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

(v) Proposal of M/s. Arshiya Rail Siding and Infrastructure Ltd. (ARSL) a co-developer in the FTWZ at Village Sai, Taluka-Panvel, District Raigad, Maharashtra being developed by M/s. Arshiya Limited for grant of permission for additional authorized operations

DC, SEEPZ SEZ has stated that M/s. Arshiya FTWZ has been developed as India's first FTWZ and is spread in 141 acres of area and is presently functional and operational. M/s. Arshiya Rail Siding and Infrastructure Ltd. (ARSL) was granted co-developer status on 05.12.2016 for development, operation and maintenance of warehouses in the SEZ. It has been stated that subsequently, the co-developer for prior approval for change in shareholding i.e. sale transfer of 100% shareholding to M/s. Ascendas Fund (India) Pte. Ltd. was approved in the 75th BOA held on 08.03.2017. Further the transfer of shares is yet to be done. Meanwhile the co-developer has come up with new proposal for taking 6 warehouses on lease.

The co-developer in its C-7 application form stated that the co-developer will be taking the said land along with the warehouses built on it from the developer for operation and maintenance. This lease will be for 30 years. This arrangement will help the co-developer to freely operate and maintain and further sub-lease the warehouses and provide approved services to other unit/entities.

DC SEEPZ has mentioned that decision of BoA is required on following specific issue:-

M/s. Arshiya Rail Siding Infrastructure Limited (Co-developer) has requested to grant additional permission for leasing of existing 6 warehouses with the land area of 25 acres approximately against investment of Rs. 434 crores and above by the investor(s) as FDI

DC SEEPZ has recommended the proposal for grant of authorized operation to the BoA for consideration.

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

Item no. 77.7 Appeal before BoA (2 Appeals).

(i) Appeal of M/s. Jagat Gems & Jewellery, a unit in NSEZ against order dated 23.03.2017 passed by UAC, NSEZ.

M/s. Jagat Gems & Jewellery was granted LoP on 10.03.2000 for manufacture & export of studded and plain gold Jewellery. The unit has commenced production w.e.f. 30.03.2000 and the LoA of the unit was valid till 03.11.2016.

It is observed that the appeal is against order of the UAC/ DC, NSEZ dated 23.03.2017 informing the appellant that LoA of the unit stands expired w.e.f. expiry of its validity on 03.11.2016 and consequently lease right being co-terminus with validity of LoA also stands expired on 03.11.2016.

From the order dated 23.03.2017 it is noted that the unit had been lying non-functional since 2010-2011 and the Approval Committee in its meeting held on 04.11.2015 renewed the LOA of unit for six months up to 03.05.2016 with the condition that no request for transfer of assets and liabilities shall be entertained and unit shall re-start the business within this period.

It is further noted that the Approval Committee in its meeting held on 04.05.2016 gave last opportunity to the unit and again extended the validity of LOA for another six months i.e. upto 03.11.2016 and directed the unit to restart the export activities within the extended validity period with intimidation to this office. **The Approval Committee further decided that if unit fails to restart the operations within extended validity period, no further extension shall be given and unit will surrender the Plots to NSEZ Authority.** It was further, informed to the Approval Committee that the unit has neither informed this office about re-commencement of export activities nor has made any request for further extension in the validity of LoA. It was also informed that lease rent amounting to Rs. 34,774/- is currently outstanding i.r.o. plot no. 129 G/33, 34 and 35, NSEZ.

NSEZ in its order dated 23.03.2017 has mentioned that the authorized representative of the firm appeared on behalf of the unit had informed that due to ill health of proprietor they could not start the activities and requested for the further extension of LoA for six months as the unit is closed from last few years and need to re-start from scratch. The UAC had informed the authorized representative that the LoA of the unit has already expired on 03.11.2016 and the lease rights would be ceased under Rule 11(5) of the SEZ Rules, 2006.

It is further noted that the Approval Committee deliberated on the matter in detailed and came to the conclusion that the unit has been lying non-functional since 2010-11 and even after giving enough opportunity the unit has fail to re-start its activity. The Approval Committee did not find merit in this case for further extension in the validity of LoA and did not agree for further extension of LoA after expiry of its validity of LoA on 03.11.2016. Therefore, the Approval Committee come to the conclusion and directed the Estate Management section to take necessary action against the unit under provisions of P.P. Act for realization of outstanding lease rent and to takeover possession of space allotted to it. Further, the UAC directed to the unit to furnish within 30 days from the date of receipt of the letter, the details of the exemptions, drawbacks, concessions and any other benefits i.r.o. capital goods, finished goods, raw material and consumables lying in the stock. Further the unit has achieved good export turnover till the financial year 2009-10 and also awarded as Star House certificate vide no. 0036 dated 22.01.2004 and Two Star Export House vide certificate no. 00096 dated 23.12.2005 respectively.

The appellant in the appeal dated 20.04.2017 has stated that the unit performed well in the export business upto financial year 2009-10 and thereafter due to unfavorable international market, the appellant could not make any further export. However, due to misfortune, the appellant met with Hip Bone injury, thereby could not travel abroad and was therefore, out of international market for some time, in view of the poor medical condition. Consequently valuable international clients were lost and many international clients are taken by personnel attached with the firm.

Thus, the appellant has filed the instant appeal against the above rejection **(Annexure-1)**.

The appeal is placed before the BoA for consideration.

(ii) Appeal of M/s. Fast Track CFS Private Ltd., a unit in APSEZL against order dated 07.04.2017 passed by UAC, APSEZL.

M/s. Fast Track CFS Private Ltd. was granted LoP on 06.05.2014 for set up of a unit authorized for warehouse operations in Adani Port and SEZ (APSEZ) at Plot No. 3, Block C, Sector 11, Adani Ports & SEZ Ltd., Taluka Mundra, Distt. Kutch, Gujarat. The appellant had approach the UAC vide application dated 21.11.2016 for permission to handle DTA Cargo in an earmarked and separate enclosure within the SEZ unit. Further, the appellant was sought the permission on the following grounds:-

- (a) Rule 11(11) of SEZ Rules 2006
- (b) Earlier precedents in the case of M/s. Empezer Logistics Pvt. Ltd., an SEZ unit in APSEZ, Mundra situated adjoining the Appellant's unit. The said entity was granted permission to handle DTA cargo in an earmarked area within their SEZ unit. Another instance of M/s. Indev Warehousing unit in J Matadee SEZ in Chennai was also cited.
- (c) Not enough business of SEZ cargo is available in APSEZ in which the appellant's unit is located.
- (d) However, the UAC vide letter dated 07.04.2017 rejected such request on the erroneous basis that there exists no provision under the SEZ Act or rules to provide such permission. It is most humbly submitted that the request was denied in a mechanical manner without due application of mind and without a detailed order giving reasons for the decision.

However, the UAC vide letter dated 07.04.2017 has informed that the Approval Committee held on 30.03.2017 had observed that the authorized operation of above unit is to conduct the business of warehousing as per provisions of the SEZ Act, 2005 and SEZ Rules, 2006. The activity now proposed by the unit is normal CFS activity, which is not allowed in SEZ area as per SEZ Act/Rules, therefore the Committee had rejected the request.

Thus, the appellant has filed the instant appeal against the above rejection **(Annexure-2)**.

The appeal is placed before the BoA for consideration.
