

No. F.2/6/2018-SEZ
Government of India
Ministry of Commerce and Industry
Department of Commerce
(SEZ Section)

Udyog Bhawan, New Delhi
Dated the 27th November, 2018

OFFICE MEMORANDUM

Subject: 86th (Eighty Sixth) Meeting of the Board of Approval on Special Economic Zones (SEZs) held on 22nd November, 2018 at 3.00 P.M. – Reg.

Please find enclosed herewith Minutes of the 86th meeting of the Board of Approval for SEZs held on 22nd November, 2018 under the Chairmanship of Shri Anup Wadhawan, Secretary, Department of Commerce for information and necessary action.

2. The Development Commissioners are requested to take urgent necessary action, on the directions of BoA requiring follow up action on their part, before the next meeting of the BoA.



(G. Srinivasan)

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. Joint Secretary, Department of Industrial Policy and Promotion, 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. Joint Secretary, (Justice-I), Department of Legal Affairs, M/o Law & Justice, New Delhi (Tel: 2338 3037).
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 Chattisgarh, 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) / PA to DS (SNS).

**Minutes of the 86th meeting of the Board of Approval for SEZs
held on 22nd November, 2018**

The Eighty Sixth (86th) meeting of the Board of Approval (BoA) for Special Economic Zones (SEZs) was held on 22nd November, 2018 under the Chairmanship of Shri Anup Wadhawan, Secretary, Department of Commerce, at 3:00 P.M. in Room No. 108, Udyog Bhawan, New Delhi. The list of participants is Annexed (Annexure-1).

Item No. 86.1: Confirmation of minutes of the follow up meeting of the 84th BoA held on 05.10.2018 and 85th meeting of the BoA held on 02.11.2018.

The BoA ratified the minutes of the follow up meeting of the 84th BoA held on 05.10.2018 and 85th meeting of the BoA held on 02.11.2018.

Item No. 86.2 Requests for extension of LoP beyond 3rd Year onward (two proposals)

Item No. 86.2(i) Request of M/s. Xenosoft Technologies (India) Pvt. Ltd. a unit in M/s APIIC Ltd. IT/ITES SEZ at Rushikonda, Madhurawada, Visakhapatnam for extension of Letter of Approval beyond 3rd year for a period of 6 months upto 19th July, 2019.

The Board, after deliberations, approved extension of the validity of the LoP for a period of six months up to 19th July, 2019.

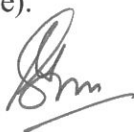
Item No. 86.2(ii) Request of M/s. Lupin Ltd. Plot NO. 6B₂ in the MIHAN - SEZ for extension of letter of Permission (LOP) beyond 26.12.2018 for 4th Extension upto 25.12.2019.

The Board, after deliberations, approved extension of the validity of the LoP for a period of one year up to 25th December, 2019.

Item No. 86.3 Requests for co-developer (three proposals)

Item No. 86.3(i) Request of M/s. Accel Limited (formerly known as Accel Transmatic Limited), Chennai for co-developer status in Kerala Industrial Infrastructure Development Corporation (KINFRA) IT/ITES SEZ, Trivandrum in an area of 2 acres to develop and operate the business and other related activities.

The Board, after deliberations, approved the proposal of M/s. Accel Limited to develop and operate the business and other related activities in the SEZ in an area of 2 acres contracted in accordance with the co-developer agreement entered into with the developer subject to standard terms and conditions as per SEZ Act and Rules provided that the lease period does not exceed 30 years (Renewable).



86.3(ii) Request of M/s. Worldtech Software Solutions Private Limited for co-developer status in M/s. APIIC Limited IT/ITES SEZ at Hill No. 3, Madhurwada, Visakhapatnam.

The Board, after deliberations, approved the proposal of M/s. Worldtech Software Solutions Private Limited to create infrastructure facilities in the form of construction of buildings with 28,000 sft. (approx.) for the units including existing space in the SEZ in an area of 1.00 acres in accordance with the co-developer agreement entered into with the developer subject to standard terms and conditions as per SEZ Act and Rules provided that the lease period does not exceed 30 years (Renewable).

86.3(iii) Request of M/s. Arshiya Northern Projects Private Limited for Co-developer status in the Free Trade and Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village Ibrahimpur, Junaidpur urf Maujpur, Tehsil Khurja, Distt. Bulandshahr (U.P.) for Operation, Maintenance and leasing of three nos. existing warehouses (Warehouse No. 52, 53 & 54 constructed on land admeasuring 3.42 Hectare).

The Board, after deliberations, approved the proposal of M/s. Arshiya Northern Projects Private Limited for operation, maintenance and leasing of three nos. of existing warehouses i.e. Warehouse No. 52, 53 & 54 constructed on land admeasuring 3.42 Hectare in accordance with the co-developer agreement entered into with the developer subject to standard terms and conditions as per SEZ Act and Rules provided that the lease period does not exceed 30 years (Renewable).

Item No. 86.4 : Proposals for setting up of SEZs (one proposal)

86.4(i) Request of M/s. Divi's Laboratories Limited for setting up of a sector specific SEZ for Pharma at Lingoigudem Village, Choutuppal Mandal, Yadadri Bhuvanagiri District, Telangana over an area of 51.38 hectares.

The Board, after deliberations, approved the proposal for setting up of a sector specific Special Economic Zone for Pharma at Lingoigudem Village, Choutuppal Mandal, Yadadri Bhuvanagiri District, Telangana over an area of 51.38 hectares.

Item No. 86.5: Change of Shareholding Pattern / change of name (two proposals)

86.5(i) Request of M/s. Laxmipati Balaji Supply Chain Management Ltd. co-developer in M/s. Arshiya Limited at Village Sai, Taluka-Panvel, District-Raigad for change of 100% shareholding pattern.

The Board approved the proposal subject to the following conditions :-

- i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered co-developer entity;
- ii) Fulfilment of all eligibility criteria applicable to co-developer, including security clearances etc., by the altered co-developer entity and its constituents;
- iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.



- iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.
- v) The Assessing Officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii) The co-developer shall furnish details of PAN and jurisdictional assessing officer of the co-developer to CBDT.

86.5 (ii) Proposal of M/s. Mageo Instant Services Pvt. Ltd., a Co-Developer of M/s Span Ventures Pvt. Ltd., an IT/ITES SEZ at Coimbatore for change of name of the company to “M/s Mageo Instant Services LLP”.

The Board approved the proposal subject to the following conditions :-

- i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered co-developer entity;
- ii) Fulfilment of all eligibility criteria applicable to co-developer, including security clearances etc., by the altered co-developer entity and its constituents;
- iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.
- v) The Assessing Officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii) The co-developer shall furnish details of PAN and jurisdictional assessing officer of the co-developer to CBDT.

Item no. 86.6: Proposals for renewal of LoP for plastic recycling units (28 proposals).

Item no. 86.7 : Proposals for renewal of LoP for worn and used clothing units (15 proposals).

The Board, after deliberations, observed that the matter required broader discussion and further deliberations and in view of the fact that LoPs of most of the units were lapsing on 30.11.2018 decided to grant an extension of LoP to the 28 plastic recycling units and 15 worn and used clothing units under consideration, by one year.

The Board also directed that a Committee consisting of the same members who are to examine the extension of LoP of plastic recycling units and representatives from DGEP, DGFT,



MoEF&CC may consider all issues related to plastic recycling and worn and used clothing units. The Committee will examine the larger policy objectives, environmental, social and domestic industries concerns. The Committee will also consult major stakeholders including representatives of the various industry.

The Committee should give its recommendations for both the plastic recycling units and the worn and used clothing units within a period of two months.

Item No. 86.8 Miscellaneous Cases

86.8 (i) Request of M/s Shreekunj Hospitality Pvt. Ltd. for approval of co-developer status in Dahej SEZ.

The Board noted that DC, Dahej could not be present in the meeting and his views could not be taken on board. The Board, after deliberations, directed DC, Dahej to examine the detailed submissions of the concerned parties in the litigation and convey the position in the matter to this Department. The Board, further directed that the case may be contested on behalf of the Union of India before the Hon'ble High Court and an early hearing may be sought in the matter.

Item no. 86.9: Appeals before BoA (One Appeal).

86.9(i) Appeal of M/s. Textile Hub against the order dated 28.08.2018 of UAC/KASEZ rejecting their application for setting up a unit for service activity of segregation/sorting/operation of imported used clothing on behalf of foreign clients.

The appellant did not appear before the Board despite being given two opportunities for hearing. The Board, after deliberations, rejected the appeal as the same was not permitted under Rule 18 (4) of the SEZ Rules, 2006.



List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 22nd November, 2018 under the Chairmanship of Commerce Secretary, Department of Commerce.

1. Shri Anup Wadhawan, Chairman, BoA & Commerce Secretary, Department of Commerce
2. Shri Alok Vardhan Chaturvedi, DG, DGFT
3. Shri Bidyut Behari Swain, Additional Secretary, Department of Commerce
4. Smt. Deepshikha Sharma, OSD, ITA-I CBDT, Department of Revenue, Ministry of Finance.
5. Dr. Prem Verma, ADG, DGEP, CBEC
6. Shri Sanjay Bansal, ADG, DGEP
7. Shri Saroj Kumar Behera, Joint Director, DGEP, CBEC
8. Shri Anil Kant Mishra, Research Assistant TCPO, Ministry of Urban Development, Vikas Bhawan, I.P. Estate, New Delhi
9. Shri Ravinder, Joint Secretary, DIPP.
10. Ms. Urvashi Roul. GM, PSIEC, New Delhi on behalf of PSIEC, Govt. of Punjab.
11. Shri Dinesh Singh, Industrial Ext Officer, Department of Industries & Commerce, Haryana

LIST OF DEVELOPMENT COMMISSIONERS

12. Shri Baldev Singh, Development Commissioner, SEEPZ-SEZ
13. Dr. Amiya Chandra, Development Commissioner, KASEZ/ Adani Port SEZ, Mundra
14. Ms. Sobhana K.S. Rao, Development Commissioner, VSEZ
15. Shri B.K. Panda, Development Commissioner, Falta SEZ
16. Shri G. Seetharam Reddy, Development Commissioner, APIIC SEZ, Atchutapuram, Visakhapatnam.
17. Shri J.M. Gupta, Development Commissioner, Indore SEZ
18. Shri R. Muthuraj, Development Commissioner, Sri City SEZ
19. Shri S. Sasi Kumar, Development Commissioner, Mangalore SEZ
20. Shri D. Anandan, Joint Development Commissioner, MEPZ
21. Shri S.S.Shukla, Joint Development Commissioner, Noida SEZ.
22. Shri Saju K Surendran, Deputy Development Commissioner, Cochin SEZ

LIST OF PARTICIPANTS FROM DEPARTMENT OF COMMERCE

23. Shri G. Srinivasan, Under Secretary, Department of Commerce
24. Shri Aditya Narayan, Under Secretary, Department of Commerce
25. Ms. Ruchika Bhatt Chaudhuri, Section Officer, Department of Commerce
26. Shri Piyush, Section Officer, Department of Commerce