

No. K-43022/133/2021-SEZ
Government of India
Ministry of Commerce and Industry
Department of Commerce
(SEZ Section)

Udyog Bhawan, New Delhi
Dated the 21st January, 2022

OFFICE MEMORANDUM

Subject: 108th Meeting of the Board of Approval (BoA) for Special Economic Zones (SEZs) scheduled to be held on 27th January, 2022 at 4.00 P.M – Supplementary Agenda regarding.

In continuation of this department's OM of even number dated 15th January, 2022, the undersigned is directed to enclose herewith the Supplementary Agenda for the 108th meeting of the BoA for SEZs scheduled to be held on 27th January, 2022 at 4:00 P.M. for information and necessary action. The supplementary agenda has also been hosted on the website: www.sezindia.gov.in.

2. The addressees are requested to kindly make it convenient to attend the meeting through Video Conferencing. A weblink for the same shall be shared by this Department shortly.


(Sumit Kumar Sachan)

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, Additional Secretary, Department of Promotion of Industry and Internal Trade (DPIIT), UdyogBhawan, New Delhi.
5. Joint Secretary, Ministry of Shipping, Transport Bhawan, New Delhi.
6. Joint Secretary (E), Ministry of Petroleum and Natural Gas, ShastriBhawan, New Delhi
7. Joint Secretary, Ministry of Agriculture, Plant Protection, KrishiBhawan, 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, NirmanBhavan, 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, PariyavaranBhavan, CGO Complex, New Delhi – 110003 (Fax: 24363577)
15. Joint Secretary & Legislative Counsel, Legislative Department, M/o Law & Justice, A-Wing, ShastriBhavan, 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, ShastriBhawan, 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, VikasBhavan (E-Block), I.P. Estate, New Delhi. (Fax: 23073678/23379197)
20. Director General, Director General of Foreign Trade, Department of Commerce, UdyogBhavan, 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, AtladraPadra Road, Vadodara - 390012
35. Development Commissioner, Andhra Pradesh Special Economic Zone, UdyogBhawan, 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, VikasSaudha, 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), LalBahadurShastriBhawan, Lucknow – 226001 (Fax: 0522-2238255).
52. Government of Punjab, Principal Secretary Department of Industry & Commerce UdyogBhawan), Sector -17, Chandigarh- 160017.
53. Government of Puducherry, Secretary, Department of Industries, Chief Secretariat, Puducherry.
54. Government of Odisha, Principal Secretary (Industries), Odisha Secretariat, Bhubaneshwar – 751001 (Fax: 0671-536819/2406299).
55. Government of Madhya Pradesh, Chief Secretary, (Commerce and Industry), VallabhBhavan, 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 SS (SK) / PPS to JS (VB)/ PPS to Dir (SNS).

Supplementary Agenda for the 108th meeting of the Board of Approval to be held on 27th January, 2022 at 4.00 P.M. through Video Conferencing

108.7 Request for extension of LoA of developer (one proposal)

108.7(i) Request of M/s. Cyber Corporation Manipur Limited for extension of validity of approval granted on 29.10.2013 for setting up of IT/ITES SEZ beyond 29.10.2021.

Name of the developer : M/s. Cyber Corporation Manipur Limited State Cabinet in its meeting held on 06.08.2020 approved the closure of M/s Manipur IT SEZ Project Development Company (MIPDCO) and requested that M/s Cyber Corporation Manipur Limited shall act as developer of Manipur IT SEZ.

Sector : IT/ITES

Date of LoA : 29.10.2013

Date of notification of SEZ : 26.02.2014

Validity of extension last expired on : 29.10.2021

Request : The developer in their application has requested for an extension upto 29.10.2026.

Present progress:

As regards steps taken for implementation of the project, the developer has informed that :

1. **Building 1 within the processing zone-** Structure has been constructed and finishing work is in progress. Calls for Expression of Interest (EoI) were received from 4 parties, with 3 considered eligible. Request for proposals for the same are under processing and they plan to set up a 1000-seater Business Process Outsourcing (BPO) unit.
2. **Default Operations –**
 - A. Approach road having a standard 4 lane road with central median (width of 2.0 mts) along with a provision of footpath and drain from the National Highway to the IT-SEZ main campus at Mantripukhri, Imphal is also under construction.
 - B. Residential Complex within the NPA – After the completion of the EoI and FRP process, a bidder has been selected for the construction and operation of the residential complex which will have over 160 dwellings. This will support the processing zone by providing high quality Metropolitan-level residential units for people relocating from other states and cities. The Letter of Award has been issued.
 - C. Other buildings in the NPA – Call for expression of Interest have been issued and are currently being received for the following –
 - 83,000 sq. ft. Hotel
 - 67,000 sq.ft. Hospital (approx. 75 beds)
 - 17,000 sq. ft. recreation and cultural centre

Further, it has been envisaged that the construction of the 1st building of IT/SEZ at Mantripukhri and the approach road will be completed at the same time. The proposed time frame for completion of the project is 29.10.2026.

Reasons for seeking extension:

- i. The IT SEZ project was approved for funding by the Department of Economic Affairs with a project cost of Rs.418 cr and was posed for funding to the World Bank. The World Bank is currently evaluating the project where multiple discussions have taken place with all stakeholders. Including Conversations with International Venture Capital Organizations focusing on the Developing World. After various discussions with World Bank and its associated agencies, the concept of Skilling, Entrepreneurship Development and creation of Incubation facilities to accelerate the creation of a viable IT Ecosystem and is now being actively followed by all the stakeholders. There has been advanced talks with International Companies focusing on capital injection and building of Talent Pool in the local community. The concept approval by World Bank is expected to be conveyed by February, 2022.
- ii. A MoU has been signed with Tata Technologies for setting up a Centre for Invention, Innovation, Incubation and training (CIIIT), investing Rs.200 cr. with a floor space of 20,000 sq.ft. The purpose of this center is to create Industry ready people with rapid upskilling of semi-skilled workers through exposure to and training in the best industry technology in the IT/ITES sector. Construction work for this building to begin shortly.
- iii. A 10,000 sq. ft. building is being constructed by the Govt. of Manipur for setting up of Manipur Technology Innovation Hub (MTI-Hub). The implementing and knowledge partner will be Kalinga Institute of Information Technology -Technology Business Incubator with IIIT Manipur and Manipur Institute of Technology as stakeholders. A MoU has already been signed accordingly.

Director (IT), Department of IT, Government of Manipur has vide their letter dated 19.01.2022, requested DC, FSEZ and DoC for UAC approval for change of developer of Manipur IT SEZ from M/s Manipur IT SEZ Project Development Company (MIPDCO) to M/s Cyber Corporation Manipur Limited (CCML). It has been stated that the State Cabinet in its meeting held on 06.08.2020 approved the closure of M/s Manipur IT SEZ Project Development Company (MIPDCO) and requested that M/s Cyber Corporation Manipur Limited shall act as developer of Manipur IT SEZ.

As per DoC's Instruction No. 109 dated 18.10.2021 reorganisation including change of name, change of shareholding pattern, business transfer arrangements etc. in respect of developer/co-developer and units shall be undertaken by the Unit Approval Committee.

Recommendation by DC:

In view of the reasons given by the Special Secretary (IT) Got. Of Manipur towards the progress of SEZ Activities, DC, FSEZ has recommended that BoA may consider for extension upto 29.10.2022.

108.8 Requests for Co-Developer status (three proposals)

108.8(i) Request of M/s Athena Global Technologies Limited for Co-Developer status in M/s Phoenix Tech Zone Private Ltd. SEZ at 203(P), Manikonda Village, Rajendra Mandal, Ranga Reddy District, Telangana for providing infrastructure facilities for upgradation of the allotted built-up space to create plug & play environment.

The above mentioned SEZ was notified on 17.03.2017 for an area of 2.02 hectares for setting up of Sector Specific SEZ for IT/ITES and the SEZ is yet to be operationalized.

M/s Athena Global Technologies Limited has submitted an application for becoming Co-Developer in the aforesaid SEZ for providing infrastructure facilities for up-gradation of the allotted

built-up space to create plug & play environment, operate and maintain the built-up space over an area of 5,00,000 sq. ft. in the above SEZ.

The Co-Developer agreement dated 26.11.2021 entered with the Developer has been provided. The proposed amount of investment by the Co-Developer in the SEZ is Rs. 25 crores. The net worth of the co-developer entity is Rs.7.33 crore.

Recommendation by DC, VSEZ:

DC, VSEZ has recommended the proposal.

108.8(ii) Request of M/s. Savvy ATS Realty LLP, Ahmedabad for approval as Co-Developer in Multi Services SEZ at Ratanpur, District Gandhinagar, Gujarat, developed by M/s. GIFT SEZ Limited.

M/s. GIFT SEZ Limited, Gandhinagar, was granted formal approval on 07.01.2008 for setting-up sector specific SEZ for multi-services at Villages Ratanpur and Phiropur, District Gandhinagar, Gujarat, and notified on 18.08.2011 over an area of 105.4386 Ha.

M/s. Savvy ATS Realty LLP, Ahmedabad has applied for codeveloper status in GIFT-multi-services-SEZ, Gandhinagar, Gujarat vide their application dated 05.01.2022 for construction, development, maintenance and operation of commercial building over an area admeasuring 4461 square meters within GIFT-SEZ processing area. The applicant proposes to operate SEZ building for units to undertake services/authorized operations in the processing area of GIFT-SEZ. The said application is accompanied by draft lease-cum-development Agreement (Lease Deed) for 99 years which is proposed to be entered into between the developer and the co-developer post BoA approval.

DC, GIFT SEZ has stated that since the GIFT-multi-services SEZ, Gandhinagar is functional with over 300 plus broad sector services units approved including the financial services units of Banks, Insurance companies, Stock market entities, related units aviation products/services leasing companies, other ancillary services units, and upcoming areas of business (like Bullion) exchanges, maritime services units, which requires additional built-up area/premises for such approved entities. Secondly, one of the current applicant's group company namely M/s. ATS Savvy Developers LLP was approved co-developer in GIFT-SEZ for building (Pragya Towers) over 4,00,000 square feet of built-up area, the same is almost used/occupied by approved SEZ units and also the IFSC Authority.

The proposed amount of investment by the co-developer is 175 cr. As regards Net Worth, it has been stated that the SPV is newly formed in the name of Savvy ATS Realty LLP which is executing the project. The LLP being new does not have network, the net worth of one of the partner entity Savvy Infrastructure Pvt. Ltd. is Rs.610.12 cr.

Recommendation by DC:

In view of the increase in economic activity and other developments at GIFT-SEZ, Gandhinagar, DC, GIFT SEZ has recommended the proposal of M/s. Savvy ATS Realty LLP, Ahmedabad as a Co-Developer, for construction of new commercial building over an area admeasuring 4461 square meters within GIFT-SEZ, subject to approval by the Board of

Approval. DC has further stated that the proposal satisfies the conditions of SEZ Act and Rules and hence recommended.

108.8(iii) Request of M/s. Waystar Properties LLP, Ahmedabad for approval as Co-Developer in Multi Services SEZ at Ratanpur, District Gandhinagar, Gujarat, developed by M/s. GIFT SEZ Limited.

M/s. GIFT SEZ Limited, Gandhinagar was granted an LoA on 07.01.2008 for setting-up sector specific SEZ for multi-services at Villages Ratanpur and Phiropur, District Gandhinagar, Gujarat, and notified on 18.08.2011 over an area of 105.4386 Ha.

M/s. Waystar Properties LLP, Ahmedabad has vide their application dated 12.01.2022 sought for approval as a Co-Developer in GIFT-multi-services-SEZ, Gandhinagar, Gujarat, for construction and development maintenance and operation of commercial building over area admeasuring 4414 square meters within GIFT-SEZ processing area. The applicant proposes to operate SEZ building for units to undertake services/authorized operations in the processing area of GIFT-SEZ. The said application is accompanied by draft lease-cum-development Agreement (Lease Deed) for 99 years which is proposed to be entered into between the developer and the co-developer post BoA approval.

DC, GIFT SEZ states that since the GIFT-multi-services SEZ, Gandhinagar is functional with over 300 plus broad sector services units approved including the financial services units of Banks, Insurance companies, Stock market entities, related units aviation products/services leasing companies, other ancillary services units, and upcoming areas of business (like Bullion) exchanges, maritime services units, which requires additional built-up area/premises for such approved entities.

The proposed amount of investment by the co-developer is 175 cr. As regards Net Worth, it has been stated that the SPV is newly formed in the name of Waystar Properties LLP which is executing the project. The LLP being new does not have network, the net worth of one of the partner entity ATS Savvy Developers LLP is Rs.337.12 cr.

Recommendation by DC :

In view of the increase in economic activity and other developments at GIFT-SEZ, Gandhinagar, DC, GIFT SEZ has recommended the proposal of M/s. Waystar Properties LLP, Ahmedabad as a Co-Developer, for construction of new commercial building over area admeasuring 4414 square meters within GIFT-SEZ, subject to approval by the Board of Approval. DC has further stated that the proposal satisfies the conditions of SEZ Act and Rules and hence recommended.

108.9 Miscellaneous cases (two proposals)

108.9(i) Request of M/s. Accord IT Society for cancellation of co-developer status in M/s. Phoenix Tech Zone Pvt. Ltd., IT/ITES SEZ at Sy. No. 203 (P) Manikonda Village, Rajendra Nagar Mandal, Ranga Reddy District, Telangana.

M/s Phoenix Tech Zoone Pvt. Ltd. stands notified as an IT/ITES SEZ vide notification dated 17.03.2017 at Sy. No. 203(P) at Manikonda Village, Serilingampally Mandal, Telangana and spreads over an area of 2.02 Ha.

M/s Accord IT Society was issued Letter of Approval dated 31.03.2017 as Co-Developer for providing infrastructure facilities for up-gradation of the allotted built-up space to create plug & play

environment, operate and maintain the built-up space over an area of 5,28,400 sq. ft. in M/s Phoenix Tech Zone Pvt. Ltd. SEZ.

Reasons for seeking cancellation of Co-Developer status :

Presently, the Department of Revenue and Stamps is not accepting applications for registration of new societies and also not allowing any kind of business transactions by society. Due to current restrictions in operating a society, M/s Accord IT Society decided to opt for cancellation of the Co-Developer status and sought approval for termination, vide letter dated 05.01.2022 and they entered into a Termination agreement with the Developer.

M/s Accord IT Society had obtained NOC from the Developer for cancellation of Co-Developer status vide letter dated 26.11.2021.

The Specified Officer, Mangalore SEZ has informed that no custom duty liability arises in this case, as all the goods and services procured availing exemptions will remain within the SEZ and will be utilized by the Syngene Unit.

Rule Position :

Section 2 (g) of the SEZ Act 2005, defines Developer as, “ a person who, or a State Government which, has been granted by the Central Government a letter of approval under sub-section(10) of section 3 and includes an Authority and a Co-developer”;

Section 10 of the said Act provides for Suspension of Letter of Approval and sub-section (3) stipulates that no letter of approval shall be suspended under sub-section (1) unless the Board has given to the Developer not less than three months notice, in writing, stating the grounds on which it proposes to suspend the letter of approval, and has considered any cause shown by the Developer within the period of that notice, against the proposed suspension.

Since the Co-Developer is covered under the definition of Developer, the suspension of LoA of Co-Developer shall also be governed by Section 10 of the SEZ Act. There is no specific provision for cancellation of LoA, however, on the recommendation of the Development Commissioner for such cancellation on the ground of Co-Developer not fulfilling the necessary requirements/obligations in terms of SEZ Act/Rules or on the request by the co-developer, such cancellation has been considered by the BoA in the earlier cases.

Recommendation by DC:

D, VSEZ has recommended the proposal for cancellation of Co-Developer status.

The request is placed before the BoA for its consideration.

108.9(ii) Request of the developer, M/s. GIFT SEZ Limited, Gandhinagar, Gujarat for creation of dual use area in the demarcated non-processing area of the notified SEZ under Rule-11-A of the SEZ Rules, 2006.

M/s. GIFT SEZ Limited, Gandhinagar was granted LOA on 07.01.2008 for setting-up sector specific SEZ for multi-services at Villages Ratanpur and Phiropur, District Gandhinagar, Gujarat and notified over an area of 105.4386 Ha on 18.08.2011.

Earlier, on the request of the Developer M/s. GIFT SEZ Limited, the Development Commissioner had ordered demarcation vide Order dated 26.11.2015 of the notified area as required under Rule-11 of the SEZ Rules, 2006, details as under:-

Processing Area demarcated	61.1829 hectares
Non Processing Area demarcated	44.2557 hectares
Total notified area	105.4386 hectares

Now, the Developer M/s. GIFT SEZ Limited has sought revision of the above demarcation and creation of dual use area in the Non-processing area to built housing units within the SEZ area in order to boost Walk-to-Work. Accordingly, the Developer M/s. GIFT SEZ Limited has applied for revision of the demarcation of the notified area of SEZ as under:-

A. Revision of notified area of SEZ applied for:-

Processing Area demarcation	65.1897 hectares
Non Processing Area demarcation	40.2489 hectares
Total notified area	105.4386 hectares

The revision of demarcation sought for as above shall be considered by the Development Commissioner of the SEZ in terms of Rule-11 of the SEZ Rules, 2006. There has been change in the survey numbers of the notified area SEZ and requisite approvals from the concerned Government of Gujarat (Departments) are awaited.

B. Bifurcation of non-processing area applied for:-

Exclusive for SEZ entities (use)	14.4136 hectares
Dual use	25.8353 hectares
Total Non Processing Area demarcation	40.2489 hectares

Rule position:

11A. Bifurcation of non-processing area : The non-processing area can be bifurcated into two parts, namely :-

1. *Where the social or commercial infrastructure and other facilities are permitted to be used by both the Special economic Zone and Domestic Tariff Area entities: No exemptions, concessions or drawback shall be admissible for creation of such infrastructure. The Customs duty, Central Excise duty, Central Goods and Services Tax, Integrated Goods and Services Tax and State Goods and Services Tax and such other Central levies and tax benefits already availed for creation of such infrastructure shall be refunded by the developer in full, without interest. However, in cases of short payment of the amount refundable to the Government on account of dual use permission, interest will have to be paid at the rate of fifteen per cent per annum from the day the said amount becomes payable to the date of actual payment. Utilisation of SZ land shall be subject to following conditions :-*
 - a. *The land is to be put to only such use which is as per the regulations of the concerned State Government or local bodies;*

- b. *If any exemption or refund has been taken from State or local taxes like stamp duty State Goods and Services Tax, change of land uses, etc. the same shall be refunded back to State Government or local authorities and a certificate to this effect shall be produced from the concerned authorities;*
- c. *No Objection Certificate (NOC) from the concerned State Government shall be produced before the consideration of the request by the Board of Approval (BoA). State Government may issue No Objection Certificate (NOC) taking into consideration (a) and (b) above.*

.....
 11A. (3) *The Department of Commerce has provided the following norms with respect to areas to be earmarked for residential, commercial and other social facilities:-*

(a) The Developer or Co-developer shall submit an application in the format as specified by the Central Government to the Development Commissioner indicating therein the portion of the non-processing area where social or commercial infrastructure and other facilities are proposed to be used by both Special Economic Zone

(c) The area restrictions for duty paid dual use non processing area in the Special Economic Zones shall be as follows :

- i. *Housing – not more than twenty-five per cent of non-processing area;*
- ii. *Commercial – not more than ten per cent of non-processing area;*
- iii. *Open area and circulation area – not less than forty-five per cent of non-processing area;*
- iv. *Social and institutional infrastructure including schools, colleges, socio-cultural centres, training institutes, banks, post office, etc. in the remaining area.*

The Government of Gujarat has vide their letter dated 07.10.2021 conveyed their NOC for dual use area of 63.84 acres (25.83 Ha) in the NPA on the following terms:

- i. Land will be utilized as per the rules/regulations of Government of Gujarat and
- ii. GIFT Company Ltd. has to deposit the availed duty exemption in the proposed dual use area amounting to Rs.20,42,274/- to the Competent Authority.

The developer has submitted the statement of payment of the said amount dated 25.10.2021 along with the instant proposal.

Recommendation by DC:

The proposal for bifurcation of non-processing area has been recommended by DC, GIFT SEZ for approval by the Board of Approval subject to full compliance of Rule-11A of the SEZ Rules, 2006.
