

**Supplementary Agenda for the 71st meeting of the Board of Approval to be held on
22nd June, 2016, in Room No. 47, Udyog Bhawan, New Delhi**

Item No. 71.7: Requests for extension of validity of formal approvals

(i) Request of Electronics Corporation of Tamil Nadu (ELCOT) for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Hosur-Viswanathapuram, Tamil Nadu, beyond 7th May, 2016

Name of the developer: M/s. Electronics Corporation of Tamil Nadu (ELCOT)

Sector : IT/ITES

Location: Hosur-Viswanathapuram, Tamil Nadu

Extension: The developer has been granted six extensions, validity period of which was upto 7th May, 2016.

Basic facts: Formal approval to the developer was granted on 26th July, 2007. The SEZ stands notified as on date.

The developer has requested for further extension so as to complete his project.

The developer has made following investments/plans.

- (i) The developer has completed common infrastructure work such as road, compound wall, administrative block, STP, water pipeline, overhead tank, sump and culvert.
- (ii) The construction of 50000 sq.ft. IT building and administrative block are under progress and expected to be completed by December 2016.

DC MEPZ SEZ has recommended the proposal for consideration by BoA.

The proposal is placed before BoA for its consideration.

(ii) Request of Electronics Corporation of Tamil Nadu (ELCOT) for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Salem, Tamil Nadu, beyond 7th May, 2016.

Name of the developer: M/s. Electronics Corporation of Tamil Nadu (ELCOT)

Sector : IT/ITES

Location: Salem, Tamil Nadu

Extension: The developer has been granted six extensions, validity period of which was upto 11th April, 2016.

Basic facts: Formal approval to the developer was granted on 7th May, 2007. The SEZ stands notified as on date.

The developer has requested for further extension so as to implement the project.

The developer has made following investments/plans.

- (i) They have obtained SEZ approval for 164.26 acres of land in which the creation of common infrastructure work for 53.33 acres such as street light, Authorised officer's office, internal road, Data cable duct, power cable duct, storm water drainage and all round boundary wall were completed.
- (ii) The construction of 50000 sq.ft. IT building and administrative block is in advance stage and expected to be completed in all respects by September, 2016.

DC, MEPZ SEZ has recommended the proposal for consideration by BoA.

The proposal is placed before BoA for its consideration.

(iii) Request of Electronics Corporation of Tamil Nadu (ELCOT) for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Vadapalanji, Madurai, Tamil Nadu, beyond 7th May, 2016

Name of the developer: M/s. Electronics Corporation of Tamil Nadu (ELCOT)

Sector : IT/ITES

Location: Vadapalanji, Madurai, Tamil Nadu

Extension: The developer has been granted six extensions, validity period of which was up to 7th May, 2016.

Basic facts: Formal approval to the developer was granted on 26th July, 2007. The SEZ stands notified as on date.

The developer has requested for further extension so as to implement the project.

The developer has made following investments/plans.

- (i) They have obtained SEZ approval for 213 acres of land in which the creation of common infrastructure work were completed such as internal road, data cable duct, power cable duct, storm water drainage and all round boundary wall.
- (ii) Tender for the construction of 50000 sq. ft. IT-cum-administrative block was floated, received and processed and LoA could not be issued since Model Election Code of Conduct was in force.
- (iii) The lease agreement i.r.o the 60 acres of land allotted to M/s. HCL and 20 acres of land allotted to Chain-Sys Software Exports Pvt. Ltd., Chennai are yet to executed.

DC MEPZ SEZ has recommended the proposal for consideration by BoA.

The proposal is placed before BoA for its consideration.

(iv) Request of Electronics Corporation of Tamil Nadu (ELCOT) for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Gangaikondan village, Tirunelveli, Tamil Nadu, beyond 7th May 2016

Name of the developer: M/s. Electronics Corporation of Tamil Nadu (ELCOT)
Sector : IT/ITES
Location: Gangaikondan village, Tirunelveli, Tamil Nadu
Extension: The developer has been granted six extensions, validity period of which was up to 7th May, 2016.
Basic facts: Formal approval to the developer was granted on 26th July, 2007. The SEZ stands notified as on date.

The developer has requested for further extension so as to implement the project.

The developer has made following investments/plans.

- (i) The creation of common infrastructure facilities for 100 acres of land and the construction of 50000 sq. ft. IT Building was completed.
- (ii) M/s. Syntel International Pvt. Ltd. have obtained the co-developer station and the construction of their building is in the final stage they are expected to start their business by September, 2016

DC MEPZ SEZ has recommended the proposal for consideration by BoA.

The proposal is placed before BoA for its consideration.

(v) 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, Hinjeadi, Pune, Maharashtra beyond 26.06.2016.

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: The developer has been granted five extensions, validity period of which is upto 26.06.2016.
Basic facts: Formal approval to the developer was granted on 27.06.2008. The SEZ stands notified as on date over an area of 12.03 ha.

The developer has requested for further extension of one year up to 26.6.2017 so as to complete his project.

The developer has made following investments/plans.

- (i) The developer has invested Rs. 237.29 Cr. on land, development of SEZ site and construction of building.
- (ii) The developer has made an incremental investment of Rs. 17.31Cr. during the period from June 2015 to March 2016.
- (iii) Physical progress made so far since last extension:-

Boundary wall – 50 % secured by concrete wall and front side is secured by GI sheets.

Inside roads – 40% complete.

Power supply – Uninterrupted power supply through DG sets.

External electrification work – 10% completed.

The developer has proposed a time line of 12 to 18 months for completion of the project and making it operational.

DC SEEPZ SEZ has recommended the proposal for consideration by BoA.

The proposal is placed before BoA for its consideration.

Item No. 70.8 : Requests for extension of LoP beyond 3rd Year onwards

(i) Proposal of M/s SEZ Recycling, a recycling unit in Mahindra World City, Chennai for extension of LoP from 4th April, 2016 to 23rd March, 2018.

M/s SEZ Recycling was granted approval for setting up of a unit vide, LoP dated 7th April, 2006 for recycling of electronic scrap, copper, brass, zinc cadmium and all kind of metal scrap. The unit have completed its first five year period on 23.03.2013 and extension of LoP given up to 03.04.2016 as per the decision of BoA in the 57th meeting held on 15.03.2013 which is already over. The unit has requested for further 3rd five year term from 04.04.2016 to 23.03.2018.

The performance of the unit for the first three years and second five years i.e. 2013-14, 2014-15 & 2015-15 are follows:-

Exports	:	Rs. 1156.40 lakhs
F.E. Outgo	:	Rs. 761.43 lakhs
N.F.E	:	Rs. 394.97 lakhs

During the three year period from 2013-14 to 2015-16, the unit has achieved positive NFE of Rs. 394.97 lakhs.

The projections of remaining period (24.03.2013 to 23.03.2018) are as follows:-

Exports	:	Rs. 2020.78 lakhs
F.E. Outgo	:	Rs. 1219.51 lakhs
N.F.E	:	Rs. 801.27 lakhs

DC has recommended the proposal for further extension of current five years i.e. from 04.04.2016 to 23.03.2018.

The request is placed below for consideration of BoA.

(ii) Request of M/s. Sameer Industries, a unit in KASEZ for extension of Letter of Permission (LoP)

The unit had been issued LoA dated 23.09.1995 for “Recycled items for imported scrap such as MS Scrap, MH Scrap, CI Scrap, Copper-Brass-Aluminium and other minor metal scrap, and recycling of brass and copper dross”. The LoP of the unit has expired on 02.04.2016 and requested for further extension for a period of three years from the date of expiry i.e. 02.04.2016.

Rs. In lakh

S. No.	F.Y	Import		Export		DTA Sale	
		Quantity	FOB Value	Quantity (MT)	FOB value	Quantity (MT)	FOB Value
1	2014-15	1895.602	1152.89	97.315	342.60	643.00	363.13
2.	2015-16	1164.188	638.66	332.040	921.25	1733.99	340.97

- (i) Their LoA was renewed in the month of April 2014. After receipt of their letter of Approval, they had booked the raw materials which started arriving only in the month of August 2014. They had started production thereafter. During the validity of their LoA, they have exported the goods valued more than Rs. 1271 lakhs.
- (ii) They have also requested to permit them to manufacture ingots of Brass, Copper and Aluminium as a value addition activity. At present, they are manufacturing Brass, Copper and Aluminium scrap and exporting the same as scrap. If they are permitted to convert it into ingots, they will be in a position to achieve more value addition. They have requested that it should be considered as a broad banding.

As per APR submitted by the said unit for the financial year 2014-15 and 2015-16, their Net Foreign Exchange is Rs. (-) 524.85 lakhs negative. The unit has mentioned that they could not export as per their potential due to sudden fall in value of their products during financial year 2015-16. The unit has requested for extension of their LoA by further period of three years so that they can make complete the five years term and make further exports and achieve positive NFE.

DC KASEZ has recommended the proposal, subject to following conditions:-

- (i) The extension of LoP will be subject to fulfillment of all the conditions mentioned in GPCB’s permission and other usual conditions of LOP
- (ii) No broad banding of any other item shall be allowed.

The request is placed before BoA for its consideration.

(iii) Request of M/s. Doot Transmission Pvt. Ltd., a unit in the Engineering and electronics at Plot no. AL-18 and AL-19, Shendre Five Star Industrial Area, Shendre, MIDC, Aurangabad for extension of Letter of Permission (LOP) beyond 17th April, 2016 .

LoP issued: 18th April, 2013 for Engineering and electronics of MIDC at Shendre, MIDC, Aurangabad for Integrated wiring harness, auto wiring harness/cable.

Extensions: 2 (two) up to 17th April, 2016

Request: For further extension.

The unit has requested for further extension so as to implement the project.

Timelines for completion of the project and making it operational.

1. Commencement of civil work : After receiving extension of LOP
2. Completion of Civil work and Electrical Fittings: January, 2017
3. Procurement of Machineries: From December, 2016 onwards.
4. Trial run: end of March, 2017.
5. Full Fledged production: 1st week of April, 2017.

DC SEEPZ- SEZ has recommended the request of extension of LoP for a period of one year up to 17.04.2017.

The request is placed before BoA for its consideration.

(iv) Request of M/s. Tech Mahindra Pvt. Ltd., an IT/ITES unit in MIHAN-SEZ, Nagpur, a Multiproduct Special Economic Zone developed by Maharashtra Airport Development Company Limited for extension of Letter of Permission (LOP) beyond 27.07.2016.

LoP issued: 28.07.2008 for IT/ITES at MIHAN-SEZ, Nagpur.

Extensions: 5 (five) up to 27.07.2016.

Request: For further extension of LOP by a period of one year.

The unit has requested for further extension so as to implement the project.

Details of Business Plan:-

S.No.	Type of Cost	Proposed Investment (Rs in Lakhs)
1.	Land Cost	2436.00
2.	Construction Cost	4215.74
3.	Plant & Machinery	2805.00
4.	Other Overheads	1281.72
	Total	10738.46

Investment made so far & Incremental Investment since last extension:-

S.No.	Type of Cost	Total Investment made so far (Rs in Lakhs)	Incremental investment since last extension (Rs in Lakhs)
1.	Land Cost	2436.00	0.00
2.	Material Procurement	2483.95	427.95
3.	Service Cost	168.00	48.00
4.	Other Overheads	609.00	182.00
	Total	5696.95	657.95

Details of Major Physical progress till date in quantifiable terms:-

S.No.	Authorised Activity	% completion as on 31.3.2016	% completion during last one year.	Deadline for completion of balance work
1.	Software development blocks/BPO/Block/Arrival Block/Food Court/Amenity Block for finishing work	90 %	70 %	June, 2016
2.	Parking Space/Health & Fitness Space/Rest Rooms	100 %	40 %	Completed
3.	Generator Room/Electric Substation/FAO Generators (To augment MSEB power/Chiller Plant/UPS Room/Distribution Sub Station. HSD Yard	70 %	30 %	August, 2016
4.	Internal Roads with Street lights	90 %	60 %	June, 2016

The Unit has declared that it will commence commercial operations on or before **15.6.2017**.

DC SEEPZ- SEZ has recommended the request of extension of LoP for a period of one year up to 27.7.2017.

The request is placed before BoA for its consideration.

(v) **Request of M/s. KPIT Technologies Ltd., an IT/ITES Unit at Plot No. 17, MIDC-SEZ, Rajeev Gandhi Infotech Park, Hinjewadi, Phase –III, Pune for extension of Letter of Permission (LOP) beyond 28.06.2016.**

LoP issued: 29.06.2011 for IT/ITES.

Extensions: 5 (fifth) up to 28.06.2016.

Request: For further extension by a period of one year.

The unit has requested for further extension so as to implement the project.

Investment made so far & Incremental Investment since last extension:-

S.No.	Type of Cost	Total Investment made so far (Rs in Lakhs)	Incremental investment since last extension (Rs in Lakhs)
1.	Land Cost	3836.96	1057.36
2.	Construction Cost	376.71	303.29
3.	Other Overheads	0.12	0.12
4.	Plant & Machinery	0.00	0.00
	Total	4213.79	1360.77

Details of Major Physical progress till date in quantifiable terms:-

S.No.	Authorised Activity	% completion as on 31.3.2016	% completion during last one year.	Deadline for completion of balance work
1.	Software development blocks/BPO/Block/Arrival Block/Food Court/Amenity Block for finishing work	22 % of RCC work completed	22 % of RCC work completed	05.01.2017
2.	Parking Space/Health & Fitness Space/Rest Rooms	In progress	In progress	25.12.2016
3.	Generator Room/Electric Substation/FAO Generators (To augment MSEB power/Chiller Plant/UPS Room/Distribution Sub Station. HSD Yard	-	-	20.01.2017
4.	Internal Roads with Street lights	In progress	In progress	09.11.2016

The Unit has declared that it will commence commercial operations in Phase I of the project by **15.5.2017**.

DC SEEPZ- SEZ has recommended the request of extension of LoP for a period of one year up to 28.6.2017.

The request is placed before BoA for its consideration.

Item No. 71.9 : Requests for co-developer

(i) Request of M/s. Prestige Estates Projects Limited for co-developer in the sector specific SEZ for IT/ITES at Block 9, Kakkanad village, Kanayanoor Taluk, Ernakulam District, Kerala, being developed by M/s. SmartCity (Kochi) Infrastructure Private Limited

The above mentioned SEZ stands notified over an area 93.9165 hectares.

M/s. Prestige Estates Projects Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for providing infrastructure facilities and development of IT/ITES industry. The applicant proposes to construct an IT campus comprising of two phases with a total built up area of 1558200 sq.ft., which includes a multi level parking slot having 1637 nos., adequate amenities such as food courts, teleconferencing facility, paved drive way, landscaped garden, open space etc. for the IT companies to be set up in the SEZ, over an area of 7.97 acres.

Co-developer agreement dated 29th April, 2016 entered into with the developer has been provided. Draft Sub Lease deed has also been provided. Lease period is 94 years. The co-developer made the agreement to pay the advance lumpsum charges of Rs. 11,30,50,000, annual lease maintenance charge of Rs. One lakh per acre per year and campus maintenance charge of Rs. 4,00,000/-.

DC CSEZ has recommended the proposal.

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

(ii) Request of M/s. C.B. Global IT Park & Infra Pvt. Ltd. as a Co-Developer in the sector Specific SEZ, Rajiv Gandhi Infoteck Park, Phase-II, Hinjewadi, Pune.

The above mentioned SEZ stands notified over an area 5,827 Sq mt.

M/s. C.B. Global IT Park & Infra Pvt. Ltd. has submitted a proposal for becoming a co-developer in the aforesaid SEZ for construction of IT/ITES building to be undertaken in the notified area of SEZ admeasuring 5,827 Sq mt. The projected investment is Rs. 28.56 Cr. including cost of land. The total of finance including Capital contribution and Term loan is Rs. 23.00 Cr. The projected employment generation during 5 years would be 2048 persons.

M/s. C.B. Global IT Park & Infra Pvt. Ltd. has acquired the land from M/s Koriv Info Solution Pvt. Ltd which had a LOA which expired on 10.10.2013 and was not extended. M/s. C.B. Global IT Park & Infra Pvt. Ltd. and M/s Koriv Info Solution Pvt. Ltd are the same group (Chordia group). DC SEEPZ SEZ had sought a clarification from the developer i.e. MIDC as to how the applicant i.e. M/s. C.B. Global IT Park & Infra Pvt. Ltd. would fulfill the parameters for functioning as a co-developer to conduct the authorized operations as the

same group could not set up a unit in the same plot. MIDC has intimated that the proposal for co-developer is viable for implementing the authorized operations.

Recommendations of DEC SEEPZ: DC has observed that M/s Koriv Info Solution Pvt. Ltd. had failed to implement the project and subsequent third extension was not granted as they had not done any work since possession of the plot within the stipulated time as per the SEZ Rules, 2006. Now, the same group has requested for co-developer status and on going through the proposal, their credentials cannot be accepted as a co-developer. DC, SEEPZ has therefore **not recommended** the proposal.

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

Item No. 71.10 : Proposals for setting up of SEZs

(i) Request of M/s. KRC Infrastructure and Projects Private Limited (Joint developer M/s. Gera Developments Pvt. Ltd.) for setting up of sector specific SEZ for IT/ITES at Kharadi District Pune, Maharashtra, over an area of 8.29 hectares.

S. No	Name of the Developer	Location	Sector	Area (in ha)	Land Possession	State Govt. Recommendation	Status of application
(i)	M/s. KRC Infrastructure and Projects Private Limited (Joint developer M/s. Gera Developments Pvt. Ltd.)	Survey No. 65, Village Kharadi, Taluka – Haveli, Distt. Pune, Maharashtra	IT/ITES	8.29	Yes	No	New

DC recommendation is awaited.

The proposed SEZ would be established by two developers M/s. KRC Infrastructure & Projects Pvt. Ltd. and M/s. Gera Development Pvt. Ltd.

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

(ii) Request of M/s. Phoenix Living Spaces Private Limited for setting up of a sector specific SEZ for IT/ITES at Ameenpur Village, Patancheru Mandal, Medak District, Telangana, over an area of 5.67 hectares.

S. No	Name of the Developer	Location	Sector	Area (in ha)	Land Possession	State Govt. Recommendation	Status of application
(i)	M/s. Phoenix Living Spaces Private Limited	Ameenpur Village, Patancheru Mandal, Medak District, Telangana	IT/ITES	5.67	Yes*	Yes (20.05.2016)	New

**The proposed development is a joint venture between the landowners and the developer with irrevocable rights.*

DC VSEZ has recommended the proposal.

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

(iii) Request of M/s. Phoenix Embassy Tech Zone Private Limited for setting up of a sector specific SEZ for IT/ITES at Nanakramguda Village, Serilingampally Mandal, Ranga Reddy District, Telangana, over an area of 6.07 hectares.

S. No	Name of the Developer	Location	Sector	Area (in ha)	Land Possession	State Govt. Recommendation	Status of application
(i)	M/s. Phoenix Embassy Tech Zone Private Limited	Nanakramguda Village, Serilingampally Mandal, Ranga Reddy District, Telangana	IT/ITES	6.07	Yes*	Yes (20.05.2016)	New

**The proposed development is a joint venture between the landowners and the developer with irrevocable rights.*

DC VSEZ has recommended the proposal.

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

Item No. 71.11 : Miscellaneous Cases

(i) Request of M/s. Dr. Fresh Health Care Pvt. Ltd. developer for sector specific SEZ for Electronics Hardware & Software including IT/ITES at Village Ghamroj, Tehsil Sohna, Gurgaon-Sohna Road, Gurgaon, Haryana, for change of shareholding pattern of the company

The above mentioned SEZ stands notified over an area of 25.266 hectares.

Existing shareholding pattern

S. No.	Name of shareholder	No. of shares	% Shareholding (approx)
1.	Ascendas India Development II Ptc Ltd.	971671	51.00%
2.	Mr. Vivek Chand Burman	690804	36.26%
3.	Mr. Sumit Nanda	42634	2.24%
4.	Mrs. Shikha Nanda	18981	1.00%
5.	Mr. H C Nanda	3500	0.18%
6.	Mr. Puneet Nanda	177651	9.32%
	Total	1905241	100.00%

Proposed shareholding pattern

S. No.	Name of shareholder	No. of shares	% Shareholding (approx)
1.	Mr. Vivek Chand Burman	1409841	74.00%
2.	The Golden State Capital Pte. Ltd., Singapore	126317	6.63%
3.	Start EGA Health services Pte. Ltd., Singapore	126317	6.63%
4.	Mr. Sumit Nanda	42634	2.24%
5.	Mrs. Shikha Nanda	18981	1.00%
6.	Mr. H C Nanda (Deceased)	3500	0.18%
7.	Mr. Puneet Nanda	177651	9.32%

Total	1905241	100.00%
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DC NSEZ has stated that the amalgamation of Dr. Fresh Property Development Pvt. Ltd. with Dr. Fresh Health Care Pvt. Ltd. (Developer Company) had been approved by the Hon'ble High Court of Punjab & Chandigarh vide order dated October 10, 2014. The amalgamation scheme become effective on 11.12.2014, being the date of filing of the Court Orders with RoC and operative from 01.04.2014.

DC NSEZ has recommended the proposal for consideration by BoA (**Annexure-1**).

The proposal is placed before BoA for its consideration.

(ii) Request of M/s. Dr. Fresh SEZ Phase I Private Limited, a co-developer in the sector specific SEZ for Electronics Hardware & Software including IT/ITES at village Ghamroj, Tehsil Sohna, District Gurgaon, Haryana being developed by M/s. Dr. Fresh Health Care Pvt. Ltd. for change of shareholding pattern of the company

The above mentioned co-developer was granted approval on 19th February, 2010 for developing 1.16 hectares. Subsequently, in the 65th BoA meeting held on 26th May, 2015 the developer was granted approval for increase in area to the extent of 0.634 hectares, thereby making the total area of the SEZ as 1.794 hectares.

Existing shareholding pattern

S. No.	Name of shareholder	No. of shares	% Shareholding (approx)
1.	Ascendas India Development II Phase-I Pte. Ltd.	7749805	54.38%
2.	Mr. Vivek Chand Burman	6175281	43.33%
3.	Mr. Sumit Nanda	1274	0.01%
4.	The Golden State Capital Pvt. Ltd., Singapore	324831	2.28%
	Total	14251191	100.00%

Proposed shareholding pattern

S. No.	Name of shareholder	No. of shares	% Shareholding (approx)
1.	Mr. Vivek Chand Burman	13925086	97.71%
2.	Mr. Sumit Nanda	1274	0.01%
3.	The Golden State Capital Pvt. Ltd., Singapore	324831	2.28%
	Total	14251191	100.00%

DC NSEZ has recommended the proposal for consideration by BoA.

The proposal is placed before BoA for its consideration.

(iii) Request of M/s. Mikado Realtors Pvt. Ltd. for setting up of sector specific SEZ for Electronic Hardware, IT/ITES at Village Behrampur, Distt Gurgaon, Haryana, for transfer of 100% shareholding of the company to M/s. Tata Realty & Infrastructure Ltd. (TRIL) and M/s. Standard Chartered Real Estate Investment (Singapore) VII Private Ltd.

Formal approval to the developer was granted on 30th October, 2008. The SEZ stands notified over an area of 10.449 hectares.

Existing shareholding pattern

S. No.	Name of shareholder	No. of shares	% Shareholding
1.	M3M India Pvt. Limited	2,70,09,999	99.999996%
2.	Akriti Farms Pvt. Ltd. (nominee of M3M India Pvt. Ltd.)	1	0.000004%
	Total	2,70,10,000	100.00%

Proposed shareholding pattern as per share purchase agreement – 1

S. No.	Name of shareholder	No. of shares	% Shareholding
3.	M3M India Pvt. Limited	40,51,500	15%
4.	Tata Realty and Infrastructure Ltd.	1,69,89,290	62.9%
5.	Standard Chartered Real Estate Investment (Singapore) VII Private Limited	59,69,210	22.1%
	Total	2,70,10,000	100.00%

Proposed shareholding pattern as per share purchase agreement – 2

S. No.	Name of shareholder	No. of shares	% Shareholding
1.	Tata Realty and Infrastructure Limited (TRIL)	1,99,87,400	74%
2.	Standard Chartered Real Estate Investment (Singapore) VII Private Limited	70,22,600	26%
	Total	2,70,10,000	100.00%

DC NSEZ has stated that M/s TRIL will be the developer of the project and shall be responsible for development of SEZ and Standard Chartered Real Estate Investment (Singapore) VII Private Limited will be the FDI Investment partner in the SEZ.

DC NSEZ has recommended the proposal.

The proposal is placed before BoA for its consideration.

(iv) Request of M/s. Aditi Technologies Pvt. Limited, Co-developer in M/s. Manyata Embassy Business Park SEZ, a sector specific SEZ for IT/ITES at Bangalore, Karnataka for change of name of co-developer from M/s. Aditi Technologies Private Limited to M/s. Harman Connected Services Technologies Private Limited

M/s Aditi Technologies Pvt. Limited, Co-developer in Manyata Embassy Business Park SEZ was granted co-developer status on 23.05.2008 for providing infrastructure facilities required for IT/ITES.

The co-developer has informed that name of the company has changed from M/s. Aditi Technologies Private Limited to M/s. Harman Connected Services Technologies Private Limited. The co-developer has also informed that there is no change in the directors of the company and submitted the following shareholding pattern of the company prior to name change and after name change:-

Shareholding patter before name change

S. No.	Name of shareholders	Residency	Number of shares	% Shareholding (approx)
1.	Symphony Teleca Corporation India Pvt. Ltd.	Resident company	2,00,47,437	75.74%
2.	Pradeep Chaudhry (Beneficial holder of 1 share for Symphony Teleca Corporation India Private Limited)	Resident	1	0.00%
3.	Other shareholders (whereabouts of the shareholders are being ascertained)	Resident	87,872	0.33%
4.	Non residents	Non resident	63,34,415	23.93%
	Total		2,64,69,725	100.00%

Shareholding after name change

S. No.	Name of shareholders	Residency	Number of shares	% Shareholding (approx)
1.	Symphony Teleca Corporation India Pvt. Ltd.	Resident company	2,63,75,570	99.64%
2.	Pradeep Chaudhry (Beneficial holder of 1 share for Symphony Teleca Corporation India Private Limited)	Resident	1	0.00%
3.	Other shareholders	Resident	94,154	0.36%
	Total		2,64,69,725	100.00%

Change of name of the co-developer from Aditi Technologies Private Limited to Harman Connected Services Technologies Private Limited has been approved by Registrar of Companies, Bangalore on 23rd December. 2015.

DC CSEZ has recommended the proposal for consideration by BoA.

The proposal is placed before BoA for its consideration.

(v) Request of M/s Unitech Realty Project Ltd., developer of sector specific SEZ for IT/ITES at Tikri, Sector, 48, Gurgaon, Haryana for change of name/constitution & shareholding pattern of the company

The matter was placed before the 70th BoA held on 28.04.2016, BoA after deliberations approved change of name of the developer Candor Gurgaon One Developers and Projects Pvt. Ltd. instead of Candor Gurgaon One Realty Projects Pvt. Ltd. as recommended by O/o DC NSEZ. However, DC, NSEZ has stated that the proposed changes are as follows:-

Proposed name change from	Proposed name change to
M/s. Unitech Realty Projects Private Limited	M/s. Candor Gurgaon One Realty Projects Pvt. Ltd.

DC NSEZ has recommended the proposal.

The proposal is placed before BoA for its consideration.

(vi) Request of M/s. Dell International Services India Private Limited, a co-developer in the sector specific SEZ for IT/ITES at Keernatham Village, Coimbatore (N) Taluk, Coimbatore, District Coimbatore, Tamil Nadu being developed by M/s. Coimbatore Hitech Infrastructure Private Limited for transfer of Letter of Approval to M/s. Dell Business Process Solutions India Private Limited with effect from 1st August, 2016

M/s. Dell International Services India Pvt. Ltd. (formerly M/s. Perot Systems TSI (India) Private Limited was granted co-developer status in the sector specific SEZ for IT/ITES at Coimbatore, Tamil Nadu on 12th October, 2007.

Now, they have entered into a Business Transfer Agreement (BTA) with DIS on 27th April, 2016. In terms of BTA, IDIS shall sell and DBPS shall purchase with effect from 1st August, 2016. The entire ownership and other interest held by M/s. DIS within the meaning of Section 2(42)(c) of the Income Tax Act, 1961.

The business of DIS to be sold to DBPS inter alias includes infrastructure services, business and properties that would be transferred to DBPS as a part of BTA includes (i) SEZ land situated at S.F. No. 311/1,311/2,311/3,312/1, Keeranatham village, Saravanampatti (Via), Coimbatore, which is acquired on 99 years lease with M/s. Coimbatore Hitech Infrastructure Private Limited and (ii) SEZ Building constructed on the said land.

The approval of DC MEPZ has been accorded.

The proposal is placed before BoA for its consideration.

(vii) Request of M/s. Deccan Real Ventures Private Limited, Co-developer in M/s. Phoenix Infocity Private Limited, a sector specific SEZ for IT/ITES at Gachibowli village, Serilingampally Mandal, Hyderabad, Telangana for transfer of ownership to M/s. Ascendas India Trust, Singapore

M/s Deccan Real Ventures Private Limited, Co-developer in M/s. Phoenix Infocity Private Limited was granted co-developer status on 13th December, 2012 for development of a portion of the IT space within the said SEZ and also to market, operate and maintain.

M/s. Ascendas India Trust, Singapore (one of its nominated entities) is willing to acquire 100% ownership of DRVPL by way of purchase of shares to develop, operate market and maintain the IT/ITES with the same terms and conditions of the co-developer agreement and supplementary co-developer agreement.

DC VSEZ recommendation is awaited.

The proposal is placed before BoA for its consideration.

Item No. 71.12 : Appeals before BoA

(i) Appeal of M/s. Gupta Infotech, a unit in FSEZ against order dated 14.05.2003 passed by UAC, FSEZ.

M/s. Gupta Infotech was granted permission vide LOP dt.14.05.2003 at Falta SEZ for manufacture and export of “Compact Fluorescent Lamp Decorative Light” subject to the conditions imposed therein. The unit started commercial production on 04.09.2003. The unit was allotted space at SDF(G) Building (basement) measuring 300 Sq mtrs, 800 Sq. mtrs and 1000Sq.mtrs and SDF(G) Building (1st floor) measuring 441 Sq. Mtrs and open land 79 sq. mtrs at Falta SEZ on lease rent basis. The unit had a huge rental outstanding of an amount of Rs. 14,29,391/- (Rupees fourteen lakh twenty nine thousand three hundred ninety one) only towards lease rent and interest of the aforesaid spaces up to the periods of December, 2015.

The DC, FSEZ had sent a request dated 6.7.2015 followed by a remainder dated 6.10.2015 to the unit to deposit rental dues. But , neither any reply nor any rent was deposited by the firm . The matter was decided in the 74th UAC Meeting and a Show Cause Notice was issued vide office letter dated 15.09.2015 to the unit as to why their LOP will not be cancelled for failure to pay govt. dues on time and why penalty should not be imposed and LoP dated 14.05.2003 should not be cancelled for violation of FTP, Handbook of Procedure etc. and SEZ Act and Rules.

Again the matter was considered in the 78th UAC held on 14.01.2016 and the Committee has decided to cancel the LoA , since the rent has not been cleared within the time limit by the Unit i.e 31.12.2015. The Committee has informed that in spite of repeated reminders, rental dues outstanding has not been deposited therefore, the LoP dated 14.05.2003 shall be treated as cancelled in terms of Section 16 of SEZ Act, 2005 and SEZ Rules, 2006 by occupying the Govt. premises and being the defaulter of rent and which acts as a deterrent for any further violation of any law in force and Lease Right Cease to exist in terms of Rules 11(5) of SEZ 2006 and non performance of Foreign Trade Activity.

Aggrieved by the above order, M/s. Gupta Infotech has stated that due to decline in the CFL market, they are facing a serious financial crunch for which they could not clear the rental dues within the time limit and somehow they managed to deposit an amount of Rs.12,18,532/- vide cheque No. 732484 dated 03.05.2016 at ICICI Bank A/c (**Annexure-2**). Further, the Unit requested to review the decision and not to cancel their LoA and grant them permission to run their factory.

The appellant has filed the instant appeal (**Annexure-3**) against the above rejection.

(ii) Appeal of M/s. Vikas Telecom Private Limited (VTPL), developer Vikas Telecom SEZ at Embassy Tech Village, Bangalore against order dated 30.05.2016 passed by UAC, CSEZ.

M/s. Vikas Telecom Private Limited (VTPL) was granted permission vide LoA dt.07.04.2006 for IT/ITES Sector at Bangalore East Taluk. VTPL are the SEZ developer of Vikas Telecom SEZ at Embassy Tech Village, Bangalore SEZ. The developer vide letter dated 07.03.2016 has requested DC CSEZ with filled up application in Form F for running the back-up power facility as a unit within the Vikas Telecom SEZ in terms of the revised power guidelines dated February, 16, 2016. M/s. VTPL also requested for running the back-up power facility(DG set) as a SEZ unit w.e.f. 1st April, 2015 under the 2009 guidelines, with clear instructions for releasing the pending AREIs for the duty benefits already availed on diesel procurements for running the back-up facility during the period 1.04.2015 to 15.02.2016.

DC CSEZ vide letter dated 07.03.2016 (**Annexure-4**) has not conceded request of the applicant. In the contrary, to the DC order, the applicant has stated that The Ministry of Commerce and Industry had originally issued power guidelines for generation, distribution and transmission of power in Special Economic Zones on February 27, 2009 ('2009 Guidelines')

- The above guidelines were superseded by guidelines issued on March 21, 2012('2012 Guidelines')
- Subsequently, the 2012 Guidelines were withdrawn and from April 1, 2015, the 2009 Guidelines were brought back into effect (till February 15, 2016)
- However, wef February 16, 2016 revised power guidelines have been issued '2016 (Guidelines,)' which is in force at present.

Both the 2009 Guidelines and 2016 Guidelines, allow IT/ITES SEZ developer to generate power within the PA of the SEZ, 'as a unit', and provide that such power plants will be entitled to all the fiscal benefits covered under section 26 of the Special Economic Zones Act, 2005 ('SEZ Act') including the benefits for initial setting -up, maintenance and the duty free import of raw materials and consumables for the generation of power. Such duty free imports of capital goods, raw materials and consumables, etc. would be counted towards the NFE obligations of the unit.

These units will enjoy duty free import of capital goods, raw materials and consumables for the generation of power and such duty free imports of capital goods, raw material and consumables etc. would be counted towards the NFE obligations of the unit."

Further, as per 2016 Power Guidelines;

*“(iv) With respect to the IT/ITES SEZs which requires continuous quality power, wherever generation of power has been approved by the BoA, as authorized operation, to the Developer/Co-developer within the processing area, and in respect of which there is a statutory requirement on developer/co-developer to supply 24 hours uninterrupted quality power supply at stable frequency in the zone, in terms of Rule 5A of SEZ Rules, 2006; **in such case generation of power will be carried out as a unit within the processing area,** and such a power plant including nonconventional energy power plant, will be entitled to all the fiscal benefits covered under section 26 of the SEZ Act including the benefits for initial setting up, maintenance and the duty free import of raw materials and consumables for the generation of the power. Such duty free imports of capital goods, raw material and consumables etc. would be counted towards the NFE obligations of the unit.”*

Based on the above, VTPL has requested to run the DG sets installed in the Processing Area of SEZ as a SEZ unit, both under the 2009 Guidelines (for the period April 1, 2015 to February 15, 2016) and the 2016 Guidelines (presently in effect from February 16, 2016), M/s VTPL had applied in Form F for approval to run the DG set, ie, the back-up power facility as SEZ unit, within the VTPL Special Economic Zone, w.e.f April 1, 2015.

However, the Unit Approval Committee has granted the SEZ unit approval only under the 2016 Guidelines w.e.f May 9, 2016.

- i) The appellant has requested that 2009 Guidelines (which was in force for the period April 1, 2015 to February, 15, 2016). As SEZ unit license cannot be denied for this period.
- ii) Denial of SEZ unit Application under the 2009 Guidelines is against the statutory obligation imposed on the VTPL.
- iii) Denial of SEZ unit Approval under the 2009 Guidelines result in denial of substantive benefits provided under the SEZ Act and Rules.

The appellant has filed the instant appeal (**Annexure-5**) against the above rejection

(iii) Appeal of M/s. Manyata Promoters Private Limited (MPPL) developer of Manyata Embassy Business Park SEZ at Nagavara, Bangalore against order dated 30.05.2016 passed by UAC, CSEZ.

M/s. Manyata Promoters Private Limited (MPPL) developer of Manyata Embassy Business Park SEZ at Nagavara, Bangalore was granted permission vide LoA dt. 16th June, 2006 for IT/ITES Sector at Nagavara, Bangalore. The developer vide letter dated 07.03.2016 has requested DC CSEZ with filled up application in Form F for running the back-up power facility as a unit within the M/s. Manyata Promoters Private Limited (MPPL) in terms of the revised power guidelines dated February, 16, 2016. M/s. Manyata Promoters Private Limited (MPPL) is also requested for running the back-up power facility (DG set) as a SEZ unit w.e.f. 1st April, 2015 under the 2009 guidelines, with clear instructions for releasing the pending AREIs for the duty benefits already availed on diesel procurements for running the back-up facility during the period 1.04.2015 to 15.02.2016.

DC CSEZ vide letter dated 07.03.2016 (**Annexure-6**) has not conceded request of the applicant. In the contrary, to the DC order, the applicant has stated that The Ministry of Commerce and Industry had originally issued power guidelines for generation, distribution and transmission of power in Special Economic Zones on February 27, 2009 ('2009 Guidelines')

- The above guidelines were superseded by guidelines issued on March 21, 2012('2012 Guidelines')
- Subsequently, the 2012 Guidelines were withdrawn and from April 1, 2015, the 2009 Guidelines were brought back into effect (till February 15, 2016)
- However, wef February 16, 2016 revised power guidelines have been issued '2016 (Guidelines,) which is in force at present.

Both the 2009 Guidelines and 2016 Guidelines, allow IT/ITES SEZ developer to generate power within the PA of the SEZ, 'as a unit', and provide that such power plants will be entitled to all the fiscal benefits covered under section 26 of the Special Economic Zones Act, 2005 ('SEZ Act') including the benefits for initial setting -up , maintenance and the duty free import of raw materials and consumables for the generation of power. Such duty free imports of capital goods, raw materials and consumables, etc. would be counted towards the NFE obligations of the unit.

These units will enjoy duty free import of capital goods, raw materials and consumables for the generation of power and such duty free imports of capital goods, raw material and consumables etc. would be counted towards the NFE obligations of the unit."

Further, as per 2016 Power Guidelines;

*"(iv) With respect to the IT/ITES SEZs which requires continuous quality power, wherever generation of power has been approved by the BoA, as authorized operation, to the Developer/Co-developer within the processing area, and in respect of which there is a statutory requirement on developer/co-developer to supply 24 hours uninterrupted quality power supply at stable frequency in the zone, in terms of Rule 5A of SEZ Rules, 2006; **in such case generation of power will be carried out as a unit within the processing area,** and such a power plant including nonconventional energy power plant, will be entitled to all the fiscal benefits covered under section 26 of eh SEZ Act including the benefits for initial setting up, maintenance and the duty free import of raw materials and consumables for the generation of the power. Such duty free imports of capital goods, raw material and consumables etc. would be counted towards the NFE obligations of the unit."*

Based on the above, M/s. Manyata Promoters Private Limited (MPPL) has requested to run the DG sets installed in the Processing Area of SEZ as a SEZ unit, both under the 2009 Guidelines (for the period April 1, 2015 to February 15, 2016) and the 2016 Guidelines (presently in effect from February 16, 2016) , M/s. Manyata Promoters Private Limited (MPPL) had applied in Form F for approval to run the DG set, ie, the back-up power facility as SEZ unit, within the Manyata Special Economic Zone, w.e.f April 1, 2015.

However, the Unit Approval Committee has granted the SEZ unit approval only under the 2016 Guidelines w.e.f May 9, 2016.

- i) The appellant has requested that 2009 Guidelines(which was in force for the period April 1, 2015 to February, 15,2016). As SEZ unit license cannot be denied for this period.
- ii) Denial of SEZ unit Application under the 2009 Guidelines is against the statutory obligation imposed on the M/s. Manyata Promoters Private Limited (MPPL).
- iii) Denial of SEZ unit Approval under the 2009 Guidelines result in denial of substantive benefits provided under the SEZ Act and Rules.

The appellant has filed the instant appeal (**Annexure-7**) against the above rejection
