

No. K-43014(22)/15/2020-SEZ
Government of India
Ministry of Commerce and Industry
Department of Commerce
(SEZ Section)

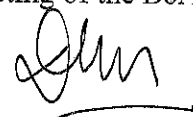
Udyog Bhawan, New Delhi
Dated the 30th June, 2020

OFFICE MEMORANDUM

Subject: 98th (Ninety Eighth) Meeting of the Board of Approval on Special Economic Zones (SEZs) held on 29th May, 2020 at 5.00 P.M. – Reg.

Please find enclosed herewith Minutes of the 98th meeting of the Board of Approval for SEZs held on 29th May, 2020 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.



(Darshan Kumar Solanki)

Under Secretary to the Government of India

Tel: 2306 2496

Email: dk.solanki@nic.in

To

1. Central Board of Excise and Customs, Member (Customs), Department of Revenue, North Block, New Delhi. (Fax: 23092628).
2. Central Board of Direct Taxes, Member (IT), Department of Revenue, North Block, New Delhi. (Telefax: 23092107).
3. Joint Secretary, Ministry of Finance, Department of Financial Services, Banking Division, Jeevan Deep Building, New Delhi (Fax: 23344462/23366797).
4. Shri Anil Agarwal, Joint Secretary, Department of Promotion of Industry and Internal Trade (DPIIT), Udyog Bhawan, New Delhi.
5. Joint Secretary, Ministry of Shipping, Transport Bhawan, New Delhi.
6. Joint Secretary (E), Ministry of Petroleum and Natural Gas, Shastri Bhawan, New Delhi
7. Joint Secretary, Ministry of Agriculture, Plant Protection, Krishi Bhawan, New Delhi.
8. Ministry of Science and Technology, Sc 'G' & Head (TDT), Technology Bhavan, Mehrauli Road, New Delhi. (Telefax: 26862512)
9. Joint Secretary, Department of Biotechnology, Ministry of Science and Technology, 7th Floor, Block 2, CGO Complex, Lodhi Road, New Delhi - 110 003.
10. Additional Secretary and Development Commissioner (Micro, Small and Medium Enterprises Scale Industry), Room No. 701, Nirman Bhavan, New Delhi (Fax: 23062315).

11. Secretary, Department of Electronics & Information Technology, Electronics Niketan, 6, CGO Complex, New Delhi. (Fax: 24363101)
12. Joint Secretary (IS-I), Ministry of Home Affairs, North Block, New Delhi (Fax: 23092569)
13. Joint Secretary (C&W), Ministry of Defence, Fax: 23015444, South Block, New Delhi.
14. Joint Secretary, Ministry of Environment and Forests, Pariyavaran Bhavan, CGO Complex, New Delhi – 110003 (Fax: 24363577)
15. Joint Secretary & Legislative Counsel, Legislative Department, M/o Law & Justice, A-Wing, Shastri Bhavan, New Delhi. (Tel: 23387095).
16. Department of Legal Affairs (Shri Hemant Kumar, Assistant Legal Adviser), M/o Law & Justice, New Delhi.
17. Secretary, Department of Chemicals & Petrochemicals, Shastri Bhawan, New Delhi
18. Joint Secretary, Ministry of Overseas Indian Affairs, Akbar Bhawan, Chanakyapuri, New Delhi. (Fax: 24674140)
19. Chief Planner, Department of Urban Affairs, Town Country Planning Organisation, Vikas Bhavan (E-Block), I.P. Estate, New Delhi. (Fax: 23073678/23379197)
20. Director General, Director General of Foreign Trade, Department of Commerce, Udyog Bhavan, New Delhi.
21. Director General, Export Promotion Council for EOUs/SEZs, 8G, 8th Floor, Hansalaya Building, 15, Barakhamba Road, New Delhi – 110 001 (Fax: 223329770)
22. Dr. Rupa Chanda, Professor, Indian Institute of Management, Bangalore, Bennerghata Road, Bangalore, Karnataka
23. Development Commissioner, Noida Special Economic Zone, Noida.
24. Development Commissioner, Kandla Special Economic Zone, Gandhidham.
25. Development Commissioner, Falta Special Economic Zone, Kolkata.
26. Development Commissioner, SEEPZ Special Economic Zone, Mumbai.
27. Development Commissioner, Madras Special Economic Zone, Chennai
28. Development Commissioner, Visakhapatnam Special Economic Zone, Visakhapatnam
29. Development Commissioner, Cochin Special Economic Zone, Cochin.
30. Development Commissioner, Indore Special Economic Zone, Indore.
31. Development Commissioner, Mundra Special Economic Zone, 4th Floor, C Wing, Port Users Building, Mundra (Kutch) Gujarat.
32. Development Commissioner, Dahej Special Economic Zone, Fadia Chambers, Ashram Road, Ahmedabad, Gujarat
33. Development Commissioner, Navi Mumbai Special Economic Zone, SEEPZ Service Center, Central Road, Andheri (East), Mumbai – 400 096
34. Development Commissioner, Sterling Special Economic Zone, Sandesara Estate, Atladra Padra Road, Vadodara - 390012
35. Development Commissioner, Andhra Pradesh Special Economic Zone, Udyog Bhawan, 9th Floor, Siripuram, Visakhapatnam – 3
36. Development Commissioner, Reliance Jamnagar Special Economic Zone, Jamnagar, Gujarat
37. Development Commissioner, Surat Special Economic Zone, Surat, Gujarat
38. Development Commissioner, Mihan Special Economic Zone, Nagpur, Maharashtra
39. Development Commissioner, Sricity Special Economic Zone, Andhra Pradesh.
40. Development Commissioner, Mangalore Special Economic Zone, Mangalore.
41. Government of Andhra Pradesh, Principal Secretary and CIP, Industries and Commerce Department, A.P. Secretariat, Hyderabad – 500022. (Fax: 040-23452895).

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

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

**Minutes of the 98th meeting of the Board of Approval for SEZs
held on 29th May, 2020**

The Ninety-eighth (98th) meeting of the Board of Approval (BoA) for Special Economic Zones (SEZs) was held on 29th May, 2020 under the chairmanship of Shri Anup Wadhawan, Secretary, Department of Commerce, at 5.00 P.M. via video conferencing from Room No. 141, Udyog Bhawan, New Delhi. The list of participants is annexed (Annexure-1).

Item No. 98.1: Confirmation of minutes of the meeting of the 97th BoA held on 20th March, 2020.

The Board, ratified the minutes of the 97th meeting of the BoA held on 20th March, 2020.

98.2 : Request for extension of validity period of formal approval and extension in time for construction of minimum built up area (one proposal)

Item no. 98.2(i) Proposal of M/s. Infosys Ltd. for (i) extension in the validity period of formal approval granted for setting up of IT/ITES SEZ at Plot No. A-01 to A-06, Sector-85, Noida (U.P.) beyond 14.04.2020 and (ii) extension in time by two years to construct minimum built-up area in terms of Rule 5(7) of SEZ Rules, 2006.

The Board, after deliberations, approved the following.

- i. Extension of the validity of the formal approval up to 14th April, 2021 and
- ii. Extension in timeline for completion of minimum built up area for further period of one year in terms of proviso to Rule 5(7) of the SEZ Rules, 2006.

98.3 Requests for extension of LoAs of units (three proposals)

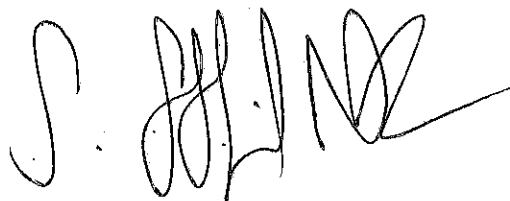
Item No. 98.3 (i) Request of M/s Cocogreen Organics Pvt. Ltd, Plot No. 28, a unit in KINFRA (Agro Based Food Processing) SEZ, Kakkanchery, Malappuram, Kerala for extension of Letter of Approval (LoA) beyond 09.02.2020 for one year upto 08.02.2021.

The Board, after deliberations, approved extension of the validity of the LoA up to 8th February, 2021.

Item no. 98.3(ii) Request of M/s Ubergreen Organics Pvt. Ltd, Plot No.27, a unit in the KINFRA (Agro Based Food Processing) SEZ, Kakkanchery, Malappuram, Kerala for extension of Letter of Approval (LoA) beyond 09.02.2020 for one year upto 08.02.2021.

The Board, after deliberations, approved extension of the validity of the LoA up to 8th February, 2021.

Item no. 98.3(iii) Request of M/s Mindspace Infratech Pvt. Ltd. a unit in MIDC SEZ at Plot No.13/2, MIDC-SEZ, Rajiv Gandhi Infotech Park, Phase III, Hinjawadi, Pune for extension of Letter of Approval (LoA) beyond 01.03.2020 for one year upto 01.03.2021.



The Board, after deliberations, approved extension of the validity of the LoA up to 1st March, 2021.

98.4 Requests for co-developer (three proposals)

Item no. 98.4(i) Request of M/s. Orion Property Management Services Limited for co-developer status in M/s Brigade Properties Pvt. Ltd. SEZ at Brookefields, Kundalahalli Village, Marathahalli Post, Bangalore.

The Board, after deliberations, approved the proposal of M/s. Orion Property Management Services Limited for operation and maintenance of building and other infrastructure/facilities to be undertaken in the entire area of the Brookefields SEZ in accordance with the co-developer agreement dated 01.09.2019 entered into with the developer subject to the condition that the activity is within the ambit of the SEZ Act/Rules/ Instructions issued by DoC from time to time and should be approved at appropriate level. The lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.

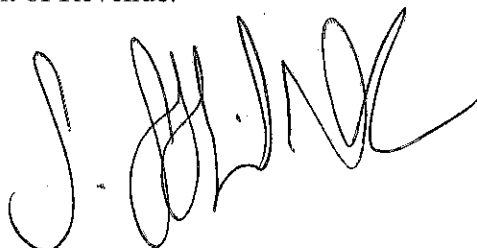
Item no. 98.4(ii) Request of M/s. PLG Builders & Developers LLP for Co-developer status in the IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. located at Plot No. 21, Sector-Techzone IV, Greater Noida (Uttar Pradesh).

The Board, after deliberations, approved the proposal of M/s. PLG Builders & Developers LLP for conversion from warm shell to total ready to move in infrastructure to be leased out to various SEZ units for export including maintaining and managing facility [One Floor (Floor No. 5) of Tower No.4 of approximately 29894.79 sqft. super area in the processing area of IT/ITES SEZ] in accordance with the co-developer agreement dated 08.05.2020 entered amongst M/s. Artha Infratech Pvt. Ltd. (Developer), M/s. P.L.G Incubation Services Private Limited (Existing Co-developer) & M/s. PLG Builders & Developers LLP (Proposed Co-developer, i.e., applicant) subject to the condition that the activity is within the ambit of the SEZ Act/Rules/ Instructions issued by DoC from time to time and should be approved at appropriate level. The lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.

Item no. 98.4 (iii) Request of M/s Shree kunj Hospitality Pvt. Ltd. for permission to take up authorized operations as a Co-developer in Dahej SEZ.

The Board noted that the BoA, in its 82nd meeting held on 04.04.2018, had approved the proposal subject to submission of formal amendment of the sale certificate issued by SIDBI and cancellation of co-developer agreement with M/s Cambay SEZ Hotels Pvt. Ltd. The Board also noted that the Hon'ble High Court of Gujarat at Ahmedabad, vide their judgment dated 20.04.2020 in SCA no.10376/2018 filed by M/s Cambay SEZ Hotels Pvt. Ltd., has upheld the decision taken by the BoA on 04.04.2018.

The Board, after deliberations, decided to seek advice from the Department of Legal Affairs regarding further course of action. Further decisions on the matter will be taken on file in consultation with the Department of Revenue.



98.5 Cancellation of co-developer status (three proposals)

Item no. 98.5(i) Proposal of M/s Elephant Developers Pvt. Ltd. for cancellation of their co-developer status in respect of IT/ITES SEZ of M/s Artha Infratech Pvt. Ltd. at Plot No. 21, Sector-Techzone-IV, Greater Noida (U.P.)

The Board, after deliberations, approved cancellation of co-developer status granted to M/s. Elephant Developers Pvt. Ltd. in the aforesaid SEZ.

Item no. 98.5 (ii) Request of M/s Kandla Free Trade Warehousing Pvt. Ltd. (formerly M/s Integrated Warehousing Kandla Project Development Pvt. Ltd.), a co-developer in KASEZ, Gujarat for cancellation of LoA.

The Board, after deliberations, decided to cancel the LoA of the co-developer subject to concurrence of DoR which is to be obtained on file. Further, DC, KASEZ was directed to initiate recovery proceedings for realisation of the pending dues.

Item no. 98.5(iii) Cancellation of co-developer status of M/s. Worlds Window Infrastructure & Logistics Pvt. Ltd., Co-developer at Kandla SEZ.

The Board, after deliberations, decided to cancel the LoA of the co-developer subject to concurrence of DoR which is to be obtained on file. Further, DC, KASEZ was directed to initiate recovery proceedings for realisation of the pending dues.

98.6 Miscellaneous cases (two proposals)

Item no. 98.6(i) Request of M/s. Maithan Alloys Limited, APSEZ, Visakhapatnam for permission to import Ferro Manganese Slag for their authorized operations.

The Board, after deliberations, decided to approve the proposal with the condition that the item allowed is actually used by the unit only and the environmental obligations prescribed by the MoEF&CC and Andhra Pradesh State Pollution Control Board are duly complied by the unit.

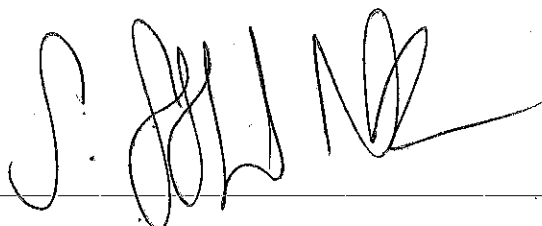
Item no. 98.6(ii) Request of M/s. RFB Latex Ltd. for permission to export prohibited item made from imported raw material in SEZ.

The Board, after deliberations, decided to abide by Notification No. 48 dated 25.02.2020 issued by the DGFT and rejected the request.

98.7 Application for Industrial License (one proposal)

Item no. 98.7(i) Application of M/s PI Industries (India) Pvt. Ltd., a unit in Sterling SEZ for Industrial License under IDR Act, 1951.

The Board noted that necessary clearances from MHA, Department of Chemical & Petrochemical, Department of Defence Production and the State Government have been



obtained and decided to approve the proposal of the unit subject to obtaining relevant clearances from any other statutory / regulatory bodies including GPCB.

98.8 Renewal of LoA of used and worn clothing units and plastic recycling units

Item no. 98.8(i) Request for extension of LoA of used and worn clothing units and plastic recycling units located at Kandla, Falta and Noida SEZ in terms of Rule 18(4) of the SEZ Rules, 2006.

The Board noted that the LoA of the listed units expires on 31.05.2020. After deliberations, it was decided to grant them an interim extension of three months with the condition that no item prohibited by the Ministry of Environment, Forest & Climate Change shall be allowed to be imported by such units. Meanwhile, Department of Commerce shall initiate a ministerial level consultation with the Ministry of Finance and the Ministry of Environment, Forest & Climate Change to finalise the long term policy for such units.

Decision on Supplementary Agenda

98.9 Increase in area of SEZ (one proposal)

98.9(i) Request of M/s. Divyasree NSL Infrastructure Private Limited, an IT/ITES SEZ at Raidurga Village, Serilingampally Mandal, Ranga Reddy District, Telangana for an increase in area of 1.36 Ha (beyond 10%) to their existing notified area of 10.52 Ha.

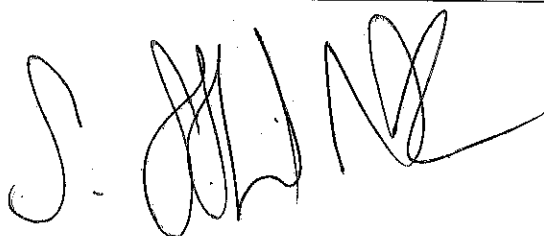
The Board, after deliberations, approved the proposal for increase in an area of 1.36 ha to their existing notified area of 10.52 Ha subject to the condition that the requirement of contiguity of the SEZ is fulfilled by the developer as per the relevant rules and instructions.

98.10 Miscellaneous case (one proposal)

98.10(i) Proposal of M/s Syndicate Innovations Ltd. for addition of 'restricted items' in the list of LoA of the unit in the FTWZ of M/s Arshiya Northern FTWZ Ltd. at Village Ibrahimipur, Junaidpur urf Maujpur, Khurja Distt., Bulandshar(UP).

The Board, after deliberations, decided to approve the proposal of the unit for allowing export/import of the following 'restricted items':

S.No.	HS Code	Description
i.	93040000	Air Pistols/Air Rifles of 0.177 caliber - Less than 20 Joules - Exempted from Arms Act 1959.
ii.	93020000	Revolvers and Pistols, other than those of heading 9303 or 9304 with caliber less than 12.7mm.
iii.	93032000	Other sporting and target-shooting shotguns, including combination shotgun-rifles with caliber less than 12.7mm.



iv.	93033000	Other sporting and target-shooting rifles with caliber less than 12.7mm.
v.	93062100	Cartridges
vi.	93063000	Other Cartridges and parts thereof

The Board noted that MHA, as recorded in their minutes of the meeting held on 20.03.2020 has categorically mentioned that no separate license or clearance would be required by them from MHA for such activities.

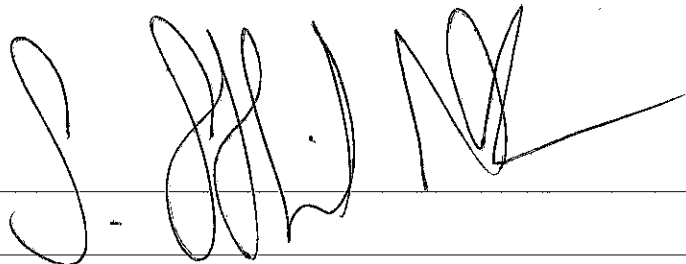
The Board, after deliberations, decided that the unit be permitted to stock the listed firearms and cartridges in the warehousing facility of the Free Trade Warehousing Zone of M/s Arshia Northern FTWZ Ltd at Khurja (UP) and undertake the activity of export/import fulfilling all the prerequisites, clearances and statutory provisions of the Ministry of Commerce & Industry, DOC /SEZ Laws relating to such storage and commercial activity, with emphasis on safety and security aspects of the items stored and humans.

Decision on Table Agenda

98.11 (i) Request of M/s Gujarat Credo Alumina Chemicals Pvt. Ltd. seeking permission to utilize non-BIS caustic soda lye already imported vide B.E. No. 1001643 dated 14.05.2019 Qty 2008 DMT (4008 LMT) from M/s Tricon Energy Ltd., Netherland for manufacturing Alumina Trihydrate (ATH) in its SEZ unit.

The Board, after deliberations, decided to approve the proposal subject to the condition that the unit furnishes the following undertakings.

- a. The unit shall consume the above referred non BIS marked Liquid Caustic Soda Lye for manufacturing process of ATH within the SEZ and shall not to sell the Liquid Caustic Soda Lye as it is.
- b. The units shall export the finished goods i.e. ATH (HS Code 28183000) and shall not sell the finished goods manufactured using the said consignment in DTA.
- c. The unit shall not import non-BIS Liquid Caustic Soda Lye in future.



ANNEXURE - I

98th Meeting of the Board of Approval for Special Economic Zones held on 20th March, 2020 under the Chairmanship of Commerce Secretary, Department of Commerce.

Participants present in room No. 141, Udyog Bhavan, New Delhi

1. Shri Anup Wadhawan, Chairman, BoA & Commerce Secretary, Department of Commerce.
2. Shri Bidyut Behari Swain, Special Secretary, Department of Commerce.
3. Shri Amit Yadav, Director General of Foreign Trade.
4. Dr. L.B. Singh, Development Commissioner, Noida SEZ.

List of participants in Video Conference

1. Shri R. P. Goyal, Additional DGFT.
2. Dr. Amiya Chandra, Development Commissioner, KASEZ/ Adani Port SEZ, Mundra.
3. Shri Shanmuga Sundram, Development Commissioner, MEPZ.
4. Shri D.V. Swamy, Development Commissioner, CSEZ.
5. Shri A. Rama Mohan Reddy, Development Commissioner, Visakhapatnam SEZ.
6. Shri R. Muthuraj, Development Commissioner, Sri City SEZ.
7. Shri Anil Kumar Choudhary, Development Commissioner, Dahej SEZ.
8. Shri Virendra Singh, Development Commissioner, Surat SEZ, Gujarat.
9. Shri B.K. Panda, Development Commissioner, Falta SEZ.
10. Shri S.K. Bansal, Development Commissioner, SEEPZ SEZ.
11. Shri Sambhaji Chavan, Development Commissioner, Mihan SEZ.
12. Shri C.P.S. Chauhan, Joint Development Commissioner, SEEPZ- SEZ.
13. Shri Naveen Kushalappa, Joint Development Commissioner, CSEZ.
14. Shri Ram Chander Sankhla, Pr.ADG, DGEP, M/o Finance.
15. Shri Senthil Nathan S, Deputy Secretary, Department of Commerce.
16. Shri Saroj Kumar Behera, Additional Commissioner, DGEP.
17. Shri Sonu Singh, Joint Director, Ministry of Environment and Forest, New Delhi.
18. Representative of Industries Department, Govt. of Haryana.

