

No. F.2/3/2018-SEZ  
Government of India  
Ministry of Commerce and Industry  
Department of Commerce  
(SEZ Section)

Udyog Bhawan, New Delhi  
Dated the 24<sup>th</sup> September, 2018

**OFFICE MEMORANDUM**

**Subject:** 84<sup>th</sup> (Eighty Fourth) Meeting of the Board of Approval on Special Economic Zones (SEZs) held on 12<sup>th</sup> September, 2018 at 11.30 A.M. – Reg.

Please find enclosed herewith Minutes of the 84<sup>th</sup> meeting of the Board of Approval for SEZs held on 12<sup>th</sup> September, 2018 under the Chairmanship of Dr. 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.



(Senthil Nathan S)  
Deputy Secretary to the Government of India

Tel: 2306 3268

Email: [senthil.nathan@nic.in](mailto:senthil.nathan@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. Joint Secretary, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi.
5. Joint Secretary, Ministry of Shipping, Transport Bhawan, New Delhi.
6. Joint Secretary (E), Ministry of Petroleum and Natural Gas, Shastri Bhawan, New Delhi
7. Joint Secretary, Ministry of Agriculture, Plant Protection, Krishi Bhawan, New Delhi.
8. Ministry of Science and Technology, Sc 'G' & Head (TDT), Technology Bhavan, Mehrauli Road, New Delhi. (Telefax: 26862512)
9. Joint Secretary, Department of Biotechnology, Ministry of Science and Technology, 7<sup>th</sup> Floor, Block 2, CGO Complex, Lodhi Road, New Delhi - 110 003.
10. Additional Secretary and Development Commissioner (Micro, Small and Medium Enterprises Scale Industry), Room No. 701, Nirman Bhavan, New Delhi (Fax: 23062315).
11. Secretary, Department of Electronics & Information Technology, Electronics Niketan, 6, CGO Complex, New Delhi. (Fax: 24363101)

12. Joint Secretary (IS-I), Ministry of Home Affairs, North Block, New Delhi (Fax: 23092569)
13. Joint Secretary (C&W), Ministry of Defence, Fax: 23015444, South Block, New Delhi.
14. Joint Secretary, Ministry of Environment and Forests, Pariyavaran Bhavan, CGO Complex, New Delhi – 110003 (Fax: 24363577)
15. Joint Secretary & Legislative Counsel, Legislative Department, M/o Law & Justice, A-Wing, Shastri Bhavan, New Delhi. (Tel: 23387095).
16. Joint Secretary, (Justice-I), Department of Legal Affairs, M/o Law & Justice, New Delhi (Tel: 2338 3037).
17. Secretary, Department of Chemicals & Petrochemicals, Shastri Bhawan, New Delhi
18. Joint Secretary, Ministry of Overseas Indian Affairs, Akbar Bhawan, Chanakyapuri, New Delhi. (Fax: 24674140)
19. Chief Planner, Department of Urban Affairs, Town Country Planning Organisation, Vikas Bhavan (E-Block), I.P. Estate, New Delhi. (Fax: 23073678/23379197)
20. Director General, Director General of Foreign Trade, Department of Commerce, Udyog Bhavan, New Delhi.
21. Director General, Export Promotion Council for EOUs/SEZs, 8G, 8<sup>th</sup> 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, 4<sup>th</sup> 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, 9<sup>th</sup> 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 (4<sup>th</sup> 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 Madhya Pradesh, Chief Secretary, (Commerce and Industry), Vallabh Bhavan, Bhopal (Fax: 0755-2559974)

**Copy to:** PPS to CS /PPS to AS (BBS) / PS to DS (SNS)





## Minutes of the 84<sup>th</sup> meeting of the Board of Approval for SEZ held on 12<sup>th</sup> September, 2018

The Eighty Fourth (84<sup>th</sup>) meeting of the Board of Approval (BoA) for Special Economic Zones (SEZs) was held on 12<sup>th</sup> September, 2018 under the Chairmanship of Dr. Anup Wadhawan, Secretary, Department of Commerce, at 12:00 noon in Room No. 108, Udyog Bhawan, New Delhi. The list of participants is Annexed (Annexure-1).

### Item No. 84.1: Requests for extension of validity of formal approvals (3 proposals)

BoA in its meeting held on 14<sup>th</sup> September, 2012, examining similar cases observed as under:

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

84.1 (i) Request of M/s. Golden Tower Infratech Pvt. Ltd. for further extension of the validity of formal approval granted for setting up of IT/ITES SEZ at Plot No. 8, Sector-144, Noida (U.P.) beyond 02.09.2018 and extension in time line.

The Board, after deliberations, decided that the proposal may be considered on file.

84.1 (ii) Request of M/s. G.P. Realtors Pvt. Ltd. for further extension of the validity of formal approval, granted for setting up of Electronic Hardware & IT/ITES SEZ at Village Behrampur, Tehsil Sohna, Gurgaon (Haryana) beyond 13.11.2018.

84.12 (i) Request of M/s. G.P. Realtors Pvt. Ltd., Developer of Electronic Hardware & IT/ITES SEZ at Village Behrampur, Distt- Gurugram (Haryana) for transfer of formal approval in the name of M/s. G.P. Realtors 1 Pvt. Ltd. alongwith change in shareholding pursuant to the approval of the composite Scheme of Arrangement by NCLT, Chandigarh vide Order dated 11.07.2018 and Change of name of M/s. G.P. Realtors 1 Pvt. Ltd. to 'ITPG Developers Pvt. Ltd.'.

The Board, after deliberations, decided that the proposals may be considered on file.

84.1 (iii) Request of M/s. Kumar Builders Township Ventures Pvt. Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Hinjewadi & Mann, Taluka - Mulshi, Pune, Maharashtra, beyond 26<sup>th</sup> August 2017 and change in the shareholding pattern of the Developer entity.

The Board, after deliberations, decided that the proposal may be considered on file.



**Item No. 84.2: Requests for extension of LoP beyond 3<sup>rd</sup> Year onward (7 proposals)**

**84.2 (i) Request of M/s. Q3 Infotech Pvt. Ltd. in Mahindra World City (Jaipur) Ltd., Multi Product SEZ at Village Kalwara, Tehsil Sanganer, Jaipur for extension of letter of permission (LoP) for a further period of six months i.e. upto 12.12.2018.**

The Board, after deliberations, approved extension of the validity of the LoP up to 12<sup>th</sup> December, 2018.

**84.2(ii) Request of M/s. JBF Petrochemicals Limited, a unit in Mangalore (Multi Product) SEZ at Mangalore, Bangalore for extension of LoP beyond 15.09.2018 for a period of one year upto 15.09.2019.**

The Board, after deliberations, approved extension of the validity of the LoP up to 15<sup>th</sup> September, 2019.

**84.2 (iii) Request of M/s. Temple Packaging Pvt. Ltd. in Indore SEZ for extension of Letter of Permission (LoP) beyond 27.07.2018 for one year up to 27.07.2019.**

The Board, after deliberations, approved extension of the validity of the LoP up to 27<sup>th</sup> July, 2019.

**84.2 (iv) Request of M/s Benzo Chem Industries Pvt. Ltd., in the Plot No. Z/103/D, Dahej SEZ Part-II, Dahej, Village Lakhigam, Taluka-Vagra, Dist Bharuch, Gujarat, Dahej SEZ for extension of Letter of Approval (LOA) beyond 6<sup>th</sup> Year for one year upto 07.09.2019.**

The Board, after deliberations, approved extension of the validity of the LoP up to 7<sup>th</sup> September, 2019.

**84.2 (v) Request of M/s. Ana Industries Private Limited in the Dahej SEZ for extension of Letter of Approval (LoA) beyond 3<sup>th</sup> year for 18 months upto 15.04.2019.**

The Board, after deliberations, approved extension of the validity of the LoP up to 15<sup>th</sup> April, 2019.

**84.2 (vi) Request of M/s. P. Mittal Manufacturing Pvt. Ltd. in the Noida SEZ for extension of Letter of Permission (LOP) beyond 11.09.2018 upto 11.09.2019.**

The Board, after deliberations, approved extension of the validity of the LoP up to 11<sup>th</sup> September, 2019.





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

**84.5 (ii) Proposal of M/s. Sands Infrabuild Private Limited, co-developer of Smartcity (Kochi) Infrastructure Private Limited SEZ, Kochi for change in shareholding pattern.**

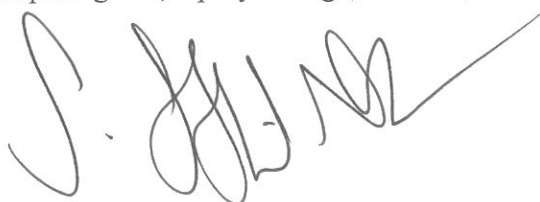
The Board noted that proposal does not indicate whether the change in shareholding pattern has the approval under relevant statutes. The Board, after deliberations, approved the proposal subject to approval by relevant statutory body for such change in shareholding pattern with following conditions:-

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

**84.5 (iii) Request of M/s Reliance Utilities and Power Private, co-developer of Reliance Jamnagar Special Economic Zone, Jamnagar for change of name.**

The Board approved the proposal subject to following conditions:-

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



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

**84.5 (iv) Request of M/s. Loma Co-Developers 1 Pvt. Ltd. a Co-developer in the LOMA IT Park - SEZ at G 4/1, TTC Industrial Area, Ghansoli, Navi Mumbai for change of shareholding pattern of more than 50%.**

The Board noted that proposal does not indicate whether the change in shareholding pattern has the approval under relevant statutes. The Board, after deliberations, approved the proposal subject to approval by relevant statutory body for such change in shareholding pattern with following conditions:-

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

**84.5 (v) Request of M/s. Loma Co-Developers 2 Pvt. Ltd. a Co-developer in the LOMA IT Park - SEZ at G 4/1, TTC Industrial Area, Ghansoli, Navi Mumbai for change of shareholding pattern of more than 50%.**

The Board noted that proposal does not indicate whether the change in shareholding pattern has the approval under relevant statutes. The Board, after deliberations, approved the proposal subject to approval by relevant statutory body for such change in shareholding pattern with following conditions:-





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

**84.5 (vi) Request of M/s. Quadron Business Park Pvt. Ltd. in the sector specific SEZ for IT/ITES at Plot No. 28, MIDC, Rajiv Gandhi Infotech Park, Phase – II, Hinjewadi, Pune, Maharashtra for change in shareholding pattern.**

The Board noted that proposal does not indicate whether the change in shareholding pattern has the approval under relevant statutes. The Board, after deliberations, approved the proposal subject to approval by relevant statutory body for such change in shareholding pattern with following conditions:-

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



**84.5 (vii) Request of M/s. Qubix Business Park Pvt. Ltd. a sector specific SEZ for IT/ITES at Rajiv infotech park, Phase-I, Hinjewadi, Pune, Maharashtra for change in shareholding pattern.**

The Board noted that proposal does not indicate whether the change in shareholding pattern has the approval under relevant statutes. The Board, after deliberations, approved the proposal subject to approval by relevant statutory body for such change in shareholding pattern with following conditions:-

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

**84.5 (viii) Request of M/s. Oxygen Business Park Pvt. Ltd., developer of IT/ITES SEZ at Plot No. 7, Sector – 144 Noida, Uttar Pradesh for change in shareholding of the company.**

The Board noted that proposal does not indicate whether the change in shareholding pattern has the approval under relevant statutes. The Board, after deliberations, approved the proposal subject to approval by relevant statutory body for such change in shareholding pattern with following conditions:-

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



- vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii) The developer shall furnish details of PAN and jurisdictional assessing officer of the developer to CBDT.

**84.5 (ix) Request of M/s LOMA IT Parks Developers Pvt. Ltd., a sector specific SEZ for IT/ITES at G-4/1, TTC Industrial Area, Ghansoli, Navi Mumbai for change of name.**

The Board approved the proposal subject to following conditions:-

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

**84.5 (x) Request for approval to the merger as per the Scheme of Amalgamation of M/s. Flagship Developer Private Limited (FDPL) co-developer in M/s. Qubix Business Park Pvt. Ltd. SEZ and M/s. VITP Private Limited (VITPL) and their respective shareholders and change in name post the merger from FDPL to VITP Pvt. Ltd.**

The Board approved the proposal subject to following conditions:-

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





- vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii) The co-developer shall furnish details of PAN and jurisdictional assessing officer of the co-developer to CBDT.

**84.5 (xi) Request of M/s. IBS Software Services Private Limited, a co-developer in ETP SEZ-1 for permission for transfer of LoA dated 16.08.2007 to holding company M/s. IBS Software Private Limited in accordance with amalgamation order issued by NCLT.**

The Board approved the proposal subject to following conditions:-

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

**84.5 (xii) Request of M/s. Aspen Infrastructure Limited, the developer of Aspen Infrastructure Limited SEZ, Padubidri for demerger and transfer of Letter of Approval to M/s. Aspen Infra Padubidri Private Limited (AIPPL).**

The Board approved the proposal subject to following conditions:-

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



- vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii) The developer shall furnish details of PAN and jurisdictional assessing officer of the developer to CBDT.

**Item No. 84.6 : Increase in area developer/co-developer (4 proposals)**

**84.6 (i) Request of M/s. Phoenix Spaces P Ltd. for setting up of sector specific SEZ for IT/ITES at Sy. No. 285/P, Puppalguda Village, Rajendra Nagar Mandal Ranga Reddy District, Telangana, for increase is an area of 3.14 hectares.**

The Board, after deliberations, approved the proposal.

**84.6(ii) Request of M/s. Nalanda Shelters Pvt. Ltd. a sector specific SEZ for IT/ITES at Survey no. 129/1, 130/1, 1311, 128/2, Hinjewadi, Phase 1, Dist. Pune, for increase in an area of 1.6596 hectares.**

The Board, after deliberations, approved the proposal subject to No Objection Certificate from the State Government.

**84.6 (iii) Request of M/s ANSR Global Corporation Pvt. Ltd. (formerly known as Network Information Global Services India Pvt. Ltd.), Bangalore, Co-Developer in Manyata Embassy Business Park SEZ, Bangalore for development of the SEZ area specifically to undertake the authorized operations of conversion of bare shell buildings into warm shell buildings for an additional area of 1,15,020 Sq.ft. and to lease the built-up space in the above IT/ITES SEZ.**

After deliberations, the Board approved the proposal of M/s. ANSR Global Corporation Pvt. Ltd for additional built up area in accordance with the agreement between the Developer and co-developer dated 12.06.2018 subject to standard terms and conditions as per SEZ Act and Rules provided that the lease period is reduced to a period not exceeding 30 years (Renewable).

**84.6 (iv) Request of M/s Syngene International Limited, Co-Developer in Mangalore SEZ Limited at Mangalore, Karnataka for increase in area.**

After deliberations, the Board approved the proposal of M/s. Syngene International Limited for increase in area in accordance with the draft agreement between the Developer and co-developer subject to standard terms and conditions as per SEZ Act and Rules provided that the lease period is reduced to a period not exceeding 30 years (Renewable).

**Item No. 84.7 : Miscellaneous Cases (9 proposals)**

**84.7 (i) Proposal of M/s. Biocon Limited co-developer in M/s. Ramky Pharma City (India) Pvt. Ltd. for setting up of sector specific SEZ for pharmaceuticals at Jagannadhapuram, Lemarthi and E-Bonangi, Visakhapatnam District, Andhra Pradesh for authorized operations to be undertaken by co-developer.**

After deliberations, the Board approved the proposal of the co-developer for the proposed authorized operations not covered in the default list of authorised operations contained in DoC's



Instruction No. 50 dated 15.03.2010 subject to the condition that the authorized operation shall be available for use of the SEZ only.

**84.7 (ii) Request of M/s DLF Commercial Developers Ltd. for transfer of their formal approval to M/s. DLF Info City Hyderabad Limited.**

The Board approved the proposal subject to following conditions:-

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

**84.7 (iii) Request of M/s. The Manjari Stud Farm Private Limited at village Phursungi, Taluka-Haveli, District Pune, Maharashtra for permission for laying down water pipe line from canal to Domestic Tariff Area (DTA) through SEZ**

The Board, after deliberations, decided to approve the proposal.

**84.7 (iv) Request of M/s Dahej SEZ Limited (DSL) developer of Dahej SEZ for Dual use of Road in Non-Processing Area (Port Area)**

The Board, after deliberations, decided to approve the proposal subject to necessary precautions.

**84.7 (v) Request of M/s. Abhijeet Ferro Tech Ltd. for import of Ferro Manganese slag.**

The Board, after deliberations, approved the proposal for import of 50,000 MTs of Ferro Manganese Slag subject to no DTA transactions.

**84.7 (vi) Sub division of HBS Pharma SEZ Pvt. Ltd., a sector specific SEZ for "Automobile, Automobile ancillary & Engineering" into SEZ Part-A and SEZ Part-B.**

The Board, after deliberations, decided to approve the proposal subject to the condition that all tax liabilities will be proportionately shared between the two SEZs in terms of their proposed splitting.



**84.7(vii) Request of M/s. Anita Exports, a unit in Kandla SEZ for renewal of LoA for extension of recycling of plastic waste and scrap**

The Board, deferred the matter for further deliberations.

**84.7(viii) Request for approval of co-developer status in respect of M/s. Shreekunj Hospitality Pvt. Ltd. in Dahej SEZ**

The Board took note of the disputed nature of the matter and pendency of Special Civil Application No. 10376/2018 filed by M/s Cambay SEZ Hotels Pvt. Ltd. before the Hon'ble High Court of Gujarat at Ahmedabad and in view of the legal issues, decided to seek a detailed report from DC Dahej specifying the details of the dispute.

**84.7(ix) Request of M/s Perspinia Developer Pvt. Ltd. for change in sector of the SEZ from multi-services to IT/ITES SEZ in an area of 5.04 ha.**

The Board, after deliberations, decided to approve the proposal.

**Item no. 84.8 : Appeals before BoA (14 Appeals).**

**84.8(i) Appeal dated 18.05.2018 of M/s. Coastal Energy Limited a unit in FSEZ against order dated 13.04.2018 passed by UAC, FSEZ for imposition of penalty of Rs. 45.21 lakhs (1% of the non-achieved positive NFE to the tune of Rs. 45.21 crores) U/S 13 of the Foreign Trade Development & Regulation Act, 1992 and Section 11 of the said Act.**

The Board heard the appellant and reserved the matter for further deliberations.

**84.8 (ii) Appeal dated 28.06.2018 of Shri Brijesh Kumar Thakur, Director, Coastal Energy Ltd. with the prayer for extension/revalidation of the LoA cancelled by the UAC vide their order dated 02.03.2012.**

The Board heard the appellant and reserved the matter for further deliberations.

**84.8 (iii) Appeal of M/s. Flawless Jewels requesting to set aside impugned orders dated 01.05.2018 and 21.05.2018 passed by SEEPZ SEZ for cancellation of LoA for Gala No. 102 & 104, SDF-VIII, SEEPZ SEZ.**

The Board heard the appellant and reserved the matter for further deliberations.

**84.8 (iv) Appeal of M/s. Malhar Jewels requesting to set aside impugned orders dated 01.05.2018 and 21.05.2018 passed by SEEPZ SEZ for cancellation of LoA for Gala No. 301, SDF-VIII, SEEPZ SEZ.**

The Board heard the appellant and reserved the matter for further deliberations.



**84. 8 (v) Appeal of M/s. Pure Gold Jewellers & Diamonds (India) Pvt. Ltd. requesting to set aside impugned orders dated 01.05.2018 and 21.05.2018 passed by SEEPZ SEZ for cancellation of LoA for Gala No. 401, 402, 403 & 404, SDF-VIII, SEEPZ SEZ.**

The Board heard the appellant and reserved the matter for further deliberations.

**84. 8 (vi) Appeal of M/s. Vijay Exports requesting to set aside impugned orders dated 01.05.2018 and 21.05.2018 passed by SEEPZ SEZ for cancellation of LoA for Gala No. 202 & 204, SDF-VIII, SEEPZ SEZ.**

The Board heard the appellant and reserved the matter for further deliberations.

**84. 8 (vii) Appeal of M/s. Limited Jewellery requesting to set aside impugned order dated 01.05.2018 and minutes of UAC meeting dated 02.05.2018 regarding decision for cancellation of LoA for Gala No. 02, SDF-VIII, SEEPZ SEZ.**

The Board heard the appellant and reserved the matter for further deliberations.

**84. 8(viii) Appeal dated 21.06.2018 of M/s. Apple Textiles a unit in KASEZ against the decision of the 129<sup>th</sup> UAC meeting dated 17.05.2018 for rejection of proposal for setting up of manufacturing unit for segregation/reprocessing of imported old and used clothes.**

The Board heard the appellant and rejected the appeal.

**84. 8 (ix) Appeal dated 17.07.2018 of M/s. Apple Industry a unit in KASEZ against the decision of the 131<sup>st</sup> UAC meeting dated 10.07.2018 for rejection of proposal for setting up of warehousing unit of plastics waste & imported old and used clothes.**

The Board heard the appellant and rejected the appeal.

**84. 8 (x) Appeal dated 21.06.2018 of M/s. Apple Enterprises a unit in KASEZ against the decision of the 129<sup>th</sup> UAC meeting dated 17.05.2018 for rejection of proposal for setting up of a unit for manufacturing and trading of plastic pre-processed agglomerates/granules.**

The Board heard the appellant and rejected the appeal.

**84. 8 (xi) Appeal dated 22.06.2018 of M/s. Guruji International a unit in KASEZ against the decision of the 129<sup>th</sup> UAC meeting dated 17.05.2018 for rejection of proposal for setting up of a unit for manufacturing of plastic pre-processed crushing/granules from Pet Bottles wastes.**

The appellant did not appear before the Board, hence deferred.

A handwritten signature in black ink, appearing to be 'J. S. N.' with a long horizontal stroke at the end.

**84. 8 (xii) Appeal dated 16.07.2018 of M/s. MRA Fragrances Private Limited a unit in NSEZ against the order dated 14.06.2018 of the UAC for rejection of proposal for setting up of new unit to undertaking manufacturing and export of (i) Filter Tobacco (ii) Hooka Tobacco paste (jurak) (iii) Flavoured Hooka Tobacco (Mossel) (iv) Readymade Khaini (v) Zafrani Zarda (vi) Spit Tobacco (vii) Mouth Freshener (viii) Essential & Carrier Oils (ix) India Attar & Fragrances and (x) Various kinds of Areca Nut under HS Code 2403.**

The Board heard the appellant and reserved the matter for further deliberations.

**84. 8 (xiii) Appeal dated 03.08.2018 of M/s. TRIL Infopark Ltd. against the decision of the DC, MEPZ order dated 28.06.2018 for rejection of request for allowing advertisement activities in Ramanujan IT City Campus.**

The Board heard the appellant and reserved the matter for further deliberations.

**84. 8 (xiv) Appeal dated 02.08.2018 of M/s. Rain CII Carbon (Vizag) Ltd. against the decision of the UAC order dated 23.07.2018 for rejection of request for amendment of LoA to include manufacture of additional products under broad-banding.**

The Board heard the appellant and reserved the matter for further deliberations.

#### **Decision on Supplementary Agenda**

**Item No. 84.9 Request for extension of LoP beyond 3<sup>rd</sup> Year onwards (3 proposals)**

**84.9(i) Request of M/s Bansal Inc., a unit in the Moradabad SEZ for extension of Letter of Permission (LOP) beyond 3<sup>rd</sup> year from 24.07.2018 up to 23.07.2019.**

The Board, after deliberations, approved extension of the validity of the LoP up to 23<sup>rd</sup> July, 2019.

**84.9(ii) Request of M/s. Dorf Ketel Chemicals (India) Pvt. Ltd., Plot No Z-108, Dahej SEZ Ltd, Part II, Dahej SEZ, Tal: Vagra, Dist: Bharuch, Gujarat for the Extension of the Letter of Approval (LOA) beyond 4<sup>th</sup> year upto 01.03.2020.**

The Board, after deliberations, approved extension of the validity of the LoP up to 1<sup>st</sup> March, 2020.

**84.9(iii) Request of M/s. Aurobiondo Pharma Limited, unit in M/s. APIIC MP SEZ, Naidupeta, Nellore SEZ for extension of Letter of Approval beyond 24.07.2018 for a period of one year upto 24.07.2019.**

The Board, after deliberations, approved extension of the validity of the LoP up to 24<sup>th</sup> July, 2019.





**Item No. 84.10 Requests for co-developer (3 proposals)**

**84.10 (i) Request of M/s. Experion Hospitality Hyderabad Pvt. Ltd for co-developer status in M/s. Phoenix Ventures Pvt. Ltd SEZ at Sy. No. 35 P & 36, Gachibowli Village, Serilingampally Mandal, Ranga Reddy District, Telangana for providing infrastructure facilities and other operations.**

The Board, after deliberations, approved the proposal of M/s. Experion Hospitality Hyderabad Pvt. Ltd. for providing infrastructure facilities and other operations in built-up area of 83,610 sq. ft. in accordance with the co-developer agreement entered into with the developer, subject to standard terms and conditions as per SEZ Act and Rules provided that the lease period does not exceed 30 years (Renewable).

**84.10 (ii) Request of M/s Embassy Services Private Limited for co-developer status in the Electronics Technology Parks Kerala (Technopark) SEZ for providing operations and Maintenance of buildings and other infrastructure facilities as authorized operations as contracted under the tripartite co-development agreement dated 14.8.2018.**

The Board, after deliberations, approved the proposal of M/s. Embassy Services Private Limited for providing operations and maintenance of buildings and other infrastructure facilities as authorized operations over an area of 10 acres as contracted under the tripartite co-development agreement in accordance with the co-developer agreement entered into with the developer, subject to standard terms and conditions as per SEZ Act and Rules.

**84.10 (iii) Request of M/s. Laxmipati Balaji Supply Chain Management Limited for co-developer status for distribution of utilities (electricity and water supply) in both the Sectors of FTWZ and Additional Sector for Electronic Hardware and Software (Including ITES) at Arshiya-FTWZ, SEZ, Raigad.**

The Board, after deliberations, approved the proposal of M/s. Laxmipati Balaji Supply Chain Management Limited for distribution of utilities (electricity and water supply) in both the Sectors of FTWZ and Additional Sector for Electronic Hardware and Software (Including ITES) in accordance with the co-developer agreement entered into with the developer, subject to standard terms and conditions as per SEZ Act and Rules provided that the lease period does not exceed 30 years (Renewable).

**Item No. 84.11 : Proposals for setting up of SEZ (one proposal)**

**84.11 (i) Request of M/s. AIGP Developers (Pune) Private Limited for setting up of a sector specific SEZ for IT/ITES at Wagholi and Kharadi Village, Pune, Maharashtra over an area of 6.69 hectares.**

The Board, after deliberations, approved the proposal for setting up of a sector specific Special Economic Zone for IT/ITES at Wagholi and Kharadi Village, Pune, Maharashtra, over an area of 6.69 hectares.



**Item No. 84.12 Change of Shareholding Pattern/Change of Name Cases/merger/de-merger  
(2 proposals)**

**84.12 (ii) Request of M/s. IBS Software Services Private Limited, a co-developer in Infopark SEZ (I) for permission for transfer of LoA dated 21.07.2008 to holding company M/s. IBS Software Private Limited in accordance with amalgamation order issued by NCLT.**

The Board approved the proposal subject to following conditions:-

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

**Item No. 84.13 Miscellaneous cases (one proposal)**

**84.13 (i) Restoration of LoA of M/s. Sarthak Warehousing & Trading Co. (SWTC), Gandhidham.**

The Board, deferred the matter for further deliberations.

**Item No. 84.14 Appeals before BoA (one appeal)**

**84. 14 (i) Appeal dated 22.08.2018 of M/s. Accenture Solutions Private Ltd. against the decision of the UAC order dated 06.08.2018 for rejection of proposal of cafeteria measuring 9500 square feet of the application dated 26.06.2018 out of approved additional area of 79, 241 sq. ft.**

The Board, deferred the matter for further deliberations.

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**List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 12<sup>th</sup> September, 2018 under the Chairmanship of Commerce Secretary, Department of Commerce.**

1. Shri Anup Wadhawan, Chairman, BoA & Commerce Secretary, Department of Commerce
2. Shri Alok Vardhan Chaturvedi, DG, DGFT
3. Shri Bidyut Behari Swain, Additional Secretary, Department of Commerce
4. Shri Vinay Sheel Gautam, Under Secretary CBDT, Department of Revenue, Ministry of Finance.
5. Dr. Prem Verma, ADG, DGEP, CBEC
6. Shri Sanjay Bansal, ADG, DGEP
7. Shri Saroj Kumar Behera, Joint Director, DGEP, CBEC
8. Shri Anil Kant Mishra, Research Assistant TCPO, Ministry of Urban Development, Vikas Bhawan, I.P. Estate, New Delhi
9. Shri R.M. Mishra, Additional Secretary, O/o DC, MSME.
10. Ms. Urvashi Roul. GM, PSIEC, New Delhi on behalf of PSIEC, Govt. of Punjab.
11. Shri R.C. Dahra, Consultant, Industries Department, Haryana

**LIST OF DEVELOPMENT COMMISSIONERS**

12. Dr. L.B. Singhal, Development Commissioner, Noida SEZ
13. Shri Baldev Singh, Development Commissioner, SEEPZ-SEZ/Mihan SEZ
14. Shri Upendra Vashisht, Development Commissioner, KASEZ
15. Ms. Sobhana K.S. Rao, Development Commissioner, VSEZ
16. Shri G. Seetharam Reddy, Development Commissioner, APIIC SEZ, Atchutapuram, Visakhapatnam/ FSEZ.
17. Shri J.M. Gupta, Development Commissioner, Indore SEZ
18. Shri R. Muthuraj, Development Commissioner, Sri City SEZ
19. Shri R.P. Goyal, Development Commissioner, Reliance SEZ, Jamnagar
20. Dr. Amiya Chandra, Development Commissioner, APSEZ, Mundra
21. Shri Anil Kumar Choudhary, Development Commissioner, Dahej SEZ
22. Shri Saju Surendram, Deputy Development Commissioner, Cochin SEZ
23. Ms. R. Anitha Nandhini, Deputy Development Commissioner, MEPZ-SEZ

**LIST OF PARTICIPANTS FROM DEPARTMENT OF COMMERCE**

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

