

## **Minutes of the 46<sup>th</sup> meeting of the SEZ Board of Approval held on 31<sup>st</sup> May 2011 to consider proposals for setting up of Special Economic Zones**

The forty sixth (46<sup>th</sup>) meeting of the SEZ Board of Approval was held on 31.05.2011 under the Chairmanship of Dr. Rahul Khullar, Secretary, Department of Commerce, at 10.30 A.M. in Room No. 47, Udyog Bhawan, New Delhi, to consider proposals for setting up of Special Economic Zones and other miscellaneous requests in respect of notified/approved SEZs. A list of participants is enclosed (**Annexure -1**).

2. Addressing the Board of Approval members, the Chairman informed that so far 584 formal approvals have been granted for setting up of SEZs out of which 381 have been notified. He further informed that as on 31st March, 2011, over Rs. 2,02,809.54 crore have been invested in the Special Economic Zones and direct employment of the order of 6,76,608 persons has been generated in the Special Economic Zones. During the financial year 2010-11, total exports to the tune of Rs. 3,15,867.85 crore have been made from SEZs, registering a growth of about 43.11% over the exports for the year 2009-10.

### **Item No. 46.1: Proposals for setting up of SEZs.**

**(i) Proposal of M/s. SmartCity (Kochi) Infrastructure Private Limited, for setting up of a sector specific Special Economic Zone for IT/ITES at Puthencruz village, Kunnathunadu Taluk, Ernakulam District and Kakkanad village, Kanayannur Taluk, Ernakulam District, Kerala, over an area of 46.3773 hectares.**

DC Cochin informed the Board that the Developer has asked for deferment of the proposal. Accordingly, the proposal was **deferred**.

**(ii) Proposal of Karnataka Industrial Areas Development Board (KIADB), for setting up of a sector specific Special Economic Zone for IT/ITES at Gamanagatti, Hubli Taluk, Dharwad District, Karnataka, over an area of 12.15 hectares.**

The Board noted that the Developer was in possession of the land. The Government of Karnataka has also recommended the proposal for formal approval vide their letter dated 18<sup>th</sup> March, 2011. Accordingly, the Board decided to grant **formal approval** to the proposal of Karnataka Industrial Areas Development Board (KIADB), for setting up of a sector specific Special Economic Zone for IT/ITES at Gamanagatti, Hubli Taluk, Dharwad District, Karnataka, over an area of **12.15 hectares**. (Note: Subsequently a communication was received from MHA that their comments may be awaited. Issue of approval is accordingly placed on hold).

**(iii) Proposal of M/s. Bhuvana Comforts Private Limited, for setting up of a sector specific Special Economic Zone for IT/ITES including Electronic Hardware at B.M. Kaval and Rachanamadu villages, Kengeri Hobli, Bangalore, Karnataka, over an area of 12.4 hectares.**

The Board noted that the Developer was in possession of the land. The Government of Karnataka has also recommended the proposal for formal approval vide their letter dated 11<sup>th</sup> April, 2011. However, DC Cochin SEZ informed the Board that he was not in position to offer his comments as the proposal was not routed through him. The Board directed to forward a copy of the project proposal to DC for his comments before the next meeting. Accordingly, the proposal was **deferred**.

**Item No.46.2: Requests for co-developers**

All BoA sanctioned approvals to co-developers are subject to the condition that particular terms and conditions of lease agreement/co-developer agreement will not have any bearing on the treatment of the income by way of lease rentals/down payment/premium etc., for the purposes of assessment under the prevalent Income Tax Act and Rules. The Assessing Officer, will have the right to examine the taxability of these amounts under the Income Tax Act. This is applicable to all the cases of co-developers approved by the BoA in this meeting:-

**(i) Request of M/s. Marg Digital Infrastructure Private Limited for co-developer in the sector specific SEZ for Multi Services at Cheyyur Taluk, Kancheepuram District, Tamil Nadu, being developed by M/s. New Chennai Township Private Limited**

It was noted that the co-developer status is being sought to develop, operate and maintain 3.114 hectares in the processing area of SEZ (to convert the bare shell building into warm shell building). The Board noted that while the SEZ Act and Rules do not debar a co-developer to operate a unit also, there can be cases where the co-developer, after developing the area, itself occupies a substantial part of the space so developed as a unit. Even though a unit and a co-developer are required to have separate accounts, in such an arrangement the possibility of the capital goods procured by the unit being loaded onto the co-developer to absolve the unit of NFE positive obligation cannot be ruled out. The Board recognized that there was a need to arrive at an arrangement which could ensure that the affairs of the unit and co-developer are adequately ring fenced so as to avoid double dipping which could lead to a potential loss of revenue. The Board directed constitution of a committee under the chairmanship of JS (SEZ), DoC with representatives of CBDT and CBEC as members, to work out such an arrangement. Accordingly, the proposal was **deferred**.

**(ii) Request of M/s. Indian Oil Corporation Ltd. for co-developer in the port based SEZ at Puthuvypeen, Kerala developed by Cochin Port Trust.**

After deliberations, the Board **approved** the request of M/s. Indian Oil Corporation Limited for becoming a co-developer in the above mentioned SEZ, for developing storage facilities for Liquefied Petroleum Gas (LPG), laying interconnecting pipeline and setting up an inland LPG Container (Tanker) Station, in accordance with the co-developer agreement entered into with the developer.

**(iii) Request of M/s. Hyderabad Infratech Private Limited for co-developer in the sector specific SEZ for IT/ITES at Gachibowli village, Serilingampally Mandal, R.R. District, Andhra Pradesh, being developed by M/s. Phoenix Infocity Private Limited.**

It was noted that the co-developer status is being sought for an area of 1.12 hectares for development and investment in the required interiors, infrastructure etc. The Board noted that while the SEZ Act and Rules do not debar a co-developer to operate a unit also, there can be cases where the co-developer, after developing the area, itself occupies a substantial part of the space so developed as a unit. Even though a unit and a co-developer are required to have separate accounts, in such an arrangement the possibility of the capital goods procured by the unit being loaded onto the co-developer to absolve the unit of NFE positive obligation

cannot be ruled out. The Board recognized that there was a need to arrive at an arrangement which could ensure that the affairs of the unit and co-developer are adequately ring fenced so as to avoid double dipping which could lead to a potential loss of revenue. The Board directed constitution of a committee under the chairmanship of JS (SEZ), DoC with representatives of CBDT and CBEC as members, to work out such an arrangement. Accordingly, the proposal was **deferred**.

**(iv) Request of M/s. Pandit Deendayal Petroleum University (PDPU) for co-developer in Multi Product SEZ at Vagra, District Bharuch, Gujarat, being developed by M/s. Dahej SEZ Limited**

The representative of DoR pointed out that the said university is privately owned and there was no adequate justification as to why PDPU wanted to set up a centre within the SEZ. DoR accordingly recommended that this proposal may not be allowed. DC, KSEZ was asked to file a detailed report giving full justification for the said proposal. Accordingly, the proposal was **deferred**.

**(v) Request of M/s. Mytec Software (Pvt.) Limited for co-developer in the sector specific SEZ for IT/ITES at Madhurwada, Andhra Pradesh, being developed by Andhra Pradesh Industrial Infrastructure Corporation (APIIC).**

It was noted that the co-developer status is being sought for an area of 1.30 acres. The Board noted that while the SEZ Act and Rules do not debar a co-developer to operate a unit also, there can be cases where the co-developer, after developing the area, itself occupies a substantial part of the space so developed as a unit. Even though a unit and a co-developer are required to have separate accounts, in such an arrangement the possibility of the capital goods procured by the unit being loaded onto the co-developer to absolve the unit of NFE positive obligation cannot be ruled out. The Board recognized that there was a need to arrive at an arrangement which could ensure that the affairs of the unit and co-developer are adequately ring fenced so as to avoid double dipping which could lead to a potential loss of revenue. The Board directed constitution of a committee under the chairmanship of JS (SEZ), DoC with representatives of CBDT and CBEC as members, to work out such an arrangement. Accordingly, the proposal was **deferred**.

**(vi) Request of M/s. Cognizant Technology Solutions India Private Limited for co-developer in the sector specific SEZ for IT/ITES at Sholinganallur, Chennai, Tamil Nadu, being developed by Electronics Corporation of Tamil Nadu Limited (ELCOT)**

After deliberations, the Board **approved** the request of M/s. Cognizant Technology Solutions India Private Limited for becoming a co-developer in the above mentioned SEZ, for creation of common infrastructure facilities, over an area of 8 hectares, in accordance with the co-developer agreement entered into with the developer. The Board also directed that the lease agreement be finalized at an early date.

**Item No. 46.3: Requests for Authorized Operations**

**BoA considered the proposals for authorized operations and it is clarified that all approvals for authorized operations are subject to the development guidelines approved by EGoM in its meeting dated 24<sup>th</sup> October 2008, which was noted by the members of the BoA, and State Government Representatives in its meeting held on 8<sup>th</sup> December**

**2008. Accordingly, the DCs will ensure that all the authorized operations approved by the BoA in this meeting, are in line with the guidelines.**

**(i) Request of M/s. L&T Shipbuilding Limited for authorized operations in sector specific SEZ for Heavy Engineering at Kattuppalli village, Tiruvallur District, Tamil Nadu**

The BoA perused the proposal and after deliberations, decided to **approve** the authorized operations in the **processing area** of the SEZ, as given in the table, subject to the DC certifying that the authorized operations are commensurate with requirement emanating from the processing area of the SEZ: -

S. No.	Authorised operations	Quantum Requested		Quantum Approved (in sqm)
		No. of units	Total area (in sqm)	
(1)	(2)	(3)	(4)	(5)
1.	Container Berths along with Shore with Fenders, Bollards Crane Rails	3	73525	73525
2.	Container Freight Station	1	102000	102000
3.	Open Stock Yard	1	180000	180000
4.	Car Stock Yard	1	30000	30000
5.	Other Berths	2	50000	50000
6.	Gate Complex Entry & Exit	1	3000	3000
7.	Shore Protection bunds	1	12500	12500
8.	Connecting Platforms between Breakwater and Berths	1	2000	2000
9.	Utility Buildings for Control Tower, Pump House, Typical Security, P&M Workshop	7	7150	7150
10.	Other utilities – Substation of Fuel, Quay, Receiving Yard and Workshop Parking Bay, Weighbridge, Parking Area Water Tank & Washing Area	9	26,000	26,000
11.	Facilities for Internal Connectivity (in Kms)	1	30 Kms	30 Kms

**(ii) Request of M/s. ONGC Petro additions Limited (OPaL), a unit in M/s. Dahej SEZ Limited for authorized operations in the multi product SEZ at Vagra, District Bharuch, Gujarat**

The BoA perused the proposal and after deliberations, the Board decided to **approve** the authorized operations, in the **processing area** of the SEZ, as given in the table: -

S. No.	Authorised operations	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
1.	Helipad	1	NA	44.3 m x 44.3 m

**(iii) Request of M/s. G.P. Realtors Private Limited for authorized operations in sector specific SEZ for IT/ITES at village Behrampur, District Gurgaon, Haryana**

**(iv) Request of M/s. Goldsouk International Gems & Jewellery SEZ Private Limited for authorized operations in sector specific SEZ for Gems and Jewellery at village Bhondsi, Tehsil Sohna, District Gurgaon, Haryana**

In (iii) and (iv) above, DC NSEZ was directed to ascertain the actual requirement of the proposed facilities necessary to support the activities of the processing area of the SEZ, as also the use to which they would be put, and submit a report for consideration of BoA. A location map would also be provided. Accordingly, the proposal was **deferred**.

**Item No. 46.4: Requests for de-notification**

**(i) Request of M/s. S2Tech.Com India Private Limited for de-notification of the sector specific SEZ for IT/ITES at Kandukur – village & Mandal, Ranga Reddy District, Andhra Pradesh, notified over an area of 10.0964 hectares**

After deliberations, the Board decided to **approve** the request of M/s. S2Tech.Com India Private Limited for de-notification of the sector specific SEZ for IT/ITES at Kandukur – village & Mandal, Ranga Reddy District, Andhra Pradesh, notified over an area of 10.0964 hectares, subject to the DC's certificate that the developer has refunded all the tax/duty benefits, including service tax exemption, availed under the SEZ Act/Rules.

**(ii) Request of M/s. Mansarovar Industrial Development Corporation for de-notification of the sector specific SEZ for Handicraft at Khaparda, Jodhpur, Rajasthan, notified over an area of 120.689 hectares**

After deliberations, the Board decided to **approve** the request of M/s. Mansarovar Industrial Development Corporation for de-notification of the sector specific SEZ for Handicraft at Jodhpur, Rajasthan, notified over an area of 120.689 hectares, subject to the DC's certificate that the developer has refunded all the tax/duty benefits, including service tax exemption, availed under the SEZ Act/Rules.

**(iii) Request of M/s. Satyam Computer Services Limited (SCSL) for de-notification of the sector specific SEZ for IT/ITES at Thotlakonda Hills, Visakhapatnam District, Andhra Pradesh, notified over an area of 20 hectares**

After deliberations, the Board decided to **approve** the request of M/s. Satyam Computer Services Limited (SCSL) for de-notification of the sector specific SEZ for IT/ITES at Thotlakonda Hills, Visakhapatnam District, Andhra Pradesh, notified over an area of 20 hectares, subject to the DC's certificate that the developer has refunded all the tax/duty benefits, including service tax exemption, availed under the SEZ Act/Rules. Further the BoA directed that the matter of reallocation of land which the State Govt. had already allotted earlier for the SEZ, which had been notified, may be taken up with the Chief Secretary Govt. of Andhra Pradesh.

**(iv) Request of Maharashtra Industrial Development Corporation (MIDC) for de-notification of the sector specific SEZ for Textile at Additional Yavatmal MIDC Area, District Yavatmal, Maharashtra, notified over an area of 208 hectares**

After deliberations, the Board decided to **approve** the request of Maharashtra Industrial Development Corporation (MIDC) for de-notification of the sector specific SEZ for Textile at Additional Yavatmal MIDC Area, District Yavatmal, Maharashtra, notified over an area of 208 hectares, subject to the DC's certificate that the developers has refunded all the tax/duty benefits, including service tax exemption, availed under the SEZ Act/Rules.

**Item No. 46.5: Requests for withdrawal of approval**

**(i) Withdrawal of In-principle approval granted to Maharashtra Industrial Development Corporation (MIDC) for setting up of sector specific SEZ for Leather Industry at Yedshi, District Osmanabad, Maharashtra**

The Board noted that the in-principle approval of the developer has already expired on 2<sup>nd</sup> July, 2008. The Board, therefore, after deliberations decided to **approve** the request of Maharashtra Industrial Development Corporation (MIDC) for withdrawal of in-principle approval granted to them for setting up of sector specific SEZ for Leather Industry at Yedshi, District Osmanabad, Maharashtra, over an area of 100 hectares.

**(ii) Withdrawal of approval granted to M/s. Infinity Jaipur Knowledge City Private Limited for co-developer in the sector specific SEZ for IT/ITES at Kalwara village, Tehsil Sanganer, Jaipur District, Rajasthan developed by M/s. Mahindra World City (Jaipur) Limited**

The Board decided to **approve** the request of M/s. Infinity Jaipur Knowledge City Private Limited, a co-developer in the sector specific SEZ for IT/ITES at Kalwara village, Tehsil Sanganer, Jaipur District, Rajasthan developed by M/s. Mahindra World City (Jaipur) Limited for withdrawal of approval, subject to the DC certifying that the co-developer has refunded all the benefits availed under the SEZ scheme.

**Item No. 46.6: Requests for increase/decrease in area**

**(i) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for addition of area in the sector specific SEZ for IT/ITES at Gangaikondan village, Tirunelveli District, Tamil Nadu**

After deliberation, the Board decided to **approve** the request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for addition of land admeasuring 76.893 hectares in the SEZ thereby making the total area of the SEZ as 117.37 hectares. The approval is subject to the contiguity of the SEZ being maintained.

**(ii) Request of Orissa Industrial Infrastructure Development Corporation (IDCO) for decrease in area of the notified IT SEZ at Chandaka Industrial Estate, P.S. Chandrasekharpur, Tehsil Bhubaneswar, District Khurda, Orissa**

After deliberation, the Board decided to **approve** the request of Orissa Industrial Infrastructure Development Corporation (IDCO) for de-notification of 10.10 Ha from the SEZ thereby making the total area of the SEZ as 59.05 Ha. The approval is also subject to the contiguity of the SEZ being maintained and the DC's certificate that the developer has refunded all the tax/duty benefits availed under SEZ Act in respect of the area to be de-notified.

**Item No. 46.7:            Requests for first extension of validity of formal approvals**

After deliberations, the Board decided to grant first extension of validity of formal approval in respect of each of the following 15 (Fifteen) developers for a period of one year beyond the expiry of the validity period:

- (i) Request of M/s. Bengal Shapoorji Infrastructure Development Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Durgapur, District Burdwan, West Bengal, beyond 24<sup>th</sup> June 2011.
- (ii) Request of M/s. Haldia Free Trade Warehousing Private Limited (HFTWPL) for extension of the validity period of formal approval, granted for setting up of FTWZ at Haldia, West Bengal, beyond 17<sup>th</sup> February 2011.
- (iii) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Jagir Ammapalayam village, Salem Taluk, Salem District, Tamil Nadu, beyond 25<sup>th</sup> July 2010.
- (iv) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Vadapalanji village Madurai District, Tamil Nadu, beyond 25<sup>th</sup> July 2010.
- (v) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Viswanathapuram village, Hosur Taluk, Krishnagiri District, Tamil Nadu, beyond 25<sup>th</sup> July 2010.
- (vi) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Navalpattu village Tiruchirapalli Taluk, Tiruchirapalli District, Tamil Nadu, beyond 25<sup>th</sup> July 2010.
- (vii) Request of Electronics Corporation of Tamil Nadu Limited (ELCOT) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Ilandaikulam village, Madurai District, Tamil Nadu, beyond 25<sup>th</sup> July 2010.
- (viii) Request of M/s. Opto Infrastructure Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware and Software including IT/ITES at KIADB Industrial Area, Hassan Growth Centre, Taluka and District Hassan, Karnataka, beyond 23<sup>rd</sup> September 2011.
- (ix) Request of M/s. Sarv Mangal Realtech Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific

SEZ for Electronic Hardware and Software including IT/ITES at Plot No. 001, Sector 140A, Noida, Uttar Pradesh, beyond 17<sup>th</sup> February 2011.

(x) Request of M/s. Wellgrow Buildcon Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Revenue village Babra Bankipur, Tehsil & District Gurgaon, Haryana beyond 20<sup>th</sup> April 2011

(xi) Request of M/s. Goldsok International Gems & Jewellery SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Gems & Jewellery at Bhondsi, Teshil Sohan, District Gurgaon, Haryana beyond 5<sup>th</sup> February 2011

(xii) Request of M/s. Dishman Infrastructure Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceutical at village Kalyangadh and Gangad, Taluka Bavla, District Ahmedabad, Gujarat beyond 16<sup>th</sup> April 2011

(xiii) Request of M/s. Airmid Developers Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at village Pawala Khusrupur, Sector 106, Gurgaon, Haryana beyond 25<sup>th</sup> June 2011.

(xiv) Request of M/s. Ananth Technologies Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Ranga Reddy District, Andhra Pradesh beyond 16<sup>th</sup> March 2011.

(xv) Request of M/s. Cognizant Technology Solutions India Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Adibatla village, Ibrahimpatnam Mandal, Ranga Reddy District, Andhra Pradesh beyond 6<sup>th</sup> January 2011.

**Item No. 46.8: Requests for second extension of validity of formal approvals**

After deliberations, the Board decided to grant second extension of validity of formal approval in respect of each of the following 21 (Twenty one) developers for a period of one year beyond the expiry of the validity period:-

(i) Request of M/s. Parsvnath SEZ Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Nedumbassery and Chengamanadu villages, Aluva Taluk, Ernakulam District, Kerala, beyond 25<sup>th</sup> October 2010.

(ii) Request of Electronic Corporation of Tamil Nadu Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Vilankurichi, Coimbatore North Taluk, Coimbatore, Tamil Nadu, beyond 15<sup>th</sup> June 2010.

(iii) Request of M/s. Cochin Port Trust for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Port based at Puthuvypeen Ernakulam District, Kerala, beyond 17<sup>th</sup> April 2011.

(iv) Request of M/s. GMR Hyderabad International Airport Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services with International Financial Services Centre (earlier airport based multi product) at GMR Hyderabad International Airport, Shamshabad, Hyderabad, beyond 24<sup>th</sup> June 2011

(v) Request of M/s. Uttam Galva Steels Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Khopoli, Village Dahivali, Taluka Khalapur, District Raigad, Maharashtra, beyond 25<sup>th</sup> July 2011

(vi) Request of M/s. Uttam Galva Steels Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at Khopoli, Village Devnhave, Taluka Khalapur, District Raigad, Maharashtra, beyond 25<sup>th</sup> July 2011

(vii) Request of M/s. True Developer Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware including IT/ITES at Arasur village, Coimbatore, Tamil Nadu, beyond 29<sup>th</sup> July 2011

(viii) Request of M/s. Opto Infrastructure Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware & Software including IT/ITES at Kallahalli & Kathwadipura, village Nanjangud Taluk, Mysore District, Karnataka, beyond 20<sup>th</sup> August 2011

(ix) Request of M/s. Unitech Realty Projects Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Tikri, Gurgaon, Haryana, beyond 29<sup>th</sup> July 2011

(x) Request of M/s. Ajanta Projects (India) Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceuticals at Shendre, Aurangabad, Maharashtra, beyond 25<sup>th</sup> July 2011

(xi) Request of M/s. Ajanta Projects (India) Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Non-conventional Energy including Solar Energy Equipment (originally Biotechnology) at Shendre, Aurangabad, Maharashtra, beyond 25<sup>th</sup> July 2011

(xii) Request of M/s. Unitech Infracon Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Greater Noida, Uttar Pradesh, beyond 22<sup>nd</sup> May 2011

(xiii) Request of M/s. Hyderabad Metropolitan Development Authority for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Kokapet village, Serilingampally Mandal, Ranga Reddy District, Hyderabad, Andhra Pradesh, beyond 22<sup>nd</sup> October 2010

(xiv) Request of Gujarat Industrial Development Corporation (GIDC) for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at Savli, District, Vadodara, Gujarat, beyond 22<sup>nd</sup> June 2011

(xv) Request of M/s. Navi Mumbai SEZ Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES-A at Ulwe, Navi Mumbai, Maharashtra, beyond 24<sup>th</sup> October 2011

(xvi) Request of M/s. Navi Mumbai SEZ Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES-B at Ulwe, Navi Mumbai, Maharashtra, beyond 24<sup>th</sup> October 2011

(xvii) Request of M/s. Navi Mumbai SEZ Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES-C at Ulwe, Navi Mumbai, Maharashtra, beyond 21<sup>st</sup> November 2011

(xviii) Request of M/s. Lodha Dwellers Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at village Narivali, Taluka & District Thane, Maharashtra, beyond 2<sup>nd</sup> May 2011

(xix) Request of M/s. Gopalpur Special Economic Zone Limited for second extension of the validity period of formal approval, granted for setting up of multi product SEZ at Gopalpur, District Ganjam, Orissa beyond 17<sup>th</sup> June 2011. This was subject to the DC submitting his report after examining the request of the SEZ.

(xx) Request of M/s. Indiabulls Industrial Infrastructure Limited for second extension of the validity period of formal approval, granted for setting up of multi product SEZ at villages Musalgaon and Gulvanch, Taluka Sinnar, District Nasik, Maharashtra beyond 24<sup>th</sup> June 2011

(xxi) Request of M/s. Reliance Haryana SEZ Limited (RHSL) for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for multi services at Gurgaon, Haryana beyond 20<sup>th</sup> June 2011

#### **Item No.46.9: Requests for third extension of validity of formal approvals**

After deliberations, the Board decided to grant third extension of validity of formal approval in respect of each of the following 08 (Eight) developers for a period of one year beyond the expiry of the validity period:-

(i) Request of M/s. Kakinada SEZ Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ

for Port based Multi Product at Kakinada, East Godavari District, Andhra Pradesh beyond 26<sup>th</sup> June 2011

(ii) Request of M/s. NIIT Technologies Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Greater Noida, Uttar Pradesh beyond 23<sup>rd</sup> August 2011

(iii) Request of M/s. Luxor Cyber City Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at village Sikohpur, Tehsil Sohna, District Gurgaon, Haryana beyond 5<sup>th</sup> April 2011

(iv) Request of M/s. Kumar Builders Township Ventures Pvt. Ltd. for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Hinjewadi, Pune, Maharashtra, beyond 27<sup>th</sup> August 2011

(v) Request of M/s. Mahindra & Mahindra Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at village Owale, Ghodbunder Road, District Thane, Maharashtra, beyond 20<sup>th</sup> August 2010

(vi) Request of M/s. Metro Valley Business Park Pvt. Ltd. for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Information Technology (IT) at Gurgaon, Faridabad Road, Gurgaon, Haryana, beyond 5<sup>th</sup> November 2011

(vii) Request of M/s. Orient Craft Infrastructure Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Textiles at Gurgaon, Haryana, beyond 16<sup>th</sup> August 2011

(viii) Request of M/s. Brahmani Infratech Private Limited for third extension of the validity period of formal approval, granted for setting up of IT/ITES SEZ at Ranga Reddy District, Andhra Pradesh beyond 24<sup>th</sup> October 2011

The Board also noted that the request for extension in respect of M/s. Bengal Shapoorji Developers Private Limited has been withdrawn as the developer has sought de-notification of the SEZ.

The Board, however, taking into account comments of DC NSEZ **rejected** the request of M/s. Uppal Developers Private Limited for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services at Gurgaon, Haryana beyond 2<sup>nd</sup> April 2011, as the developer had not taken sufficient steps towards implementation of the project.

**Item No. 46.10: Requests for grant of second extension of in-principle approval.**

BOA granted second extension, to the following six (6) proposals, from the date of the expiry of the last extension up to the dates indicated against the each.

- (i) M/s. Tirunelveli Infrastructure Developers Private Limited for setting up of Multi Product SEZ at Khaitar village, Tirunelveli District, Tamil Nadu, over an area of 100 Ha. (up to 26<sup>th</sup> February 2012)
- (ii) M/s. Karaikal Port Private Limited for setting up of Port based Multi Product SEZ at Vanjore village, Thirupattinam Commune, Karaikal District, Pondicherry, over an area of 243.506 Ha. (up to 26<sup>th</sup> February 2012)
- (iii) M/s. Trac Technologies India Limited for setting up of sector specific SEZ for Multi Services at Krishnagiri District, Tamil Nadu, over an area of 1182.19 Ha. (up to 26<sup>th</sup> February 2012)
- (iv) M/s. Maharaja Multitrade Private Limited for setting up of sector specific SEZ for Multi Services at Village Taloshi, Taluka Igatpuri, District Nasik, Maharashtra, over an area of 106.755 Ha. (up to 17<sup>th</sup> June 2012)
- (v) M/s. Lepakshi Knowledge Hub Private Limited for setting up of sector specific SEZ for Multi Product at Ananthapur District, Andhra Pradesh, over an area of 1032 Ha. (up to 26<sup>th</sup> February 2012)
- (vi) M/s. Mumbai SEZ Limited for setting up of sector specific SEZ for Multi Product at Khopta, District Raigad, Maharashtra, over an area of 5000 Ha. (up to 7<sup>th</sup> August 2012)

**Item No. 46.11: Request for M/s. Nasik Multi Services SEZ Limited for setting up of sector specific SEZ for multi services at Nasik, Maharashtra for grant of extension of in-principle approval**

It was noted that the validity of second extension has expired on 25<sup>th</sup> June 2010, therefore, third extension was needed to extend the validity up to 25<sup>th</sup> June 2011. Since this date is also very close, the Board allowed the extension of the validity of third and fourth extension simultaneously and extended the validity of in-principle approval up to 25<sup>th</sup> June 2012.

**Item No. 46.12: Contiguity Relaxation**

**(i) Request of M/s. Navi Mumbai SEZ (NSEZ) Private Limited for relaxation of conditions of LoA regarding contiguity and multiple entry/exit gates**

The revised proposal submitted by M/s. Navi Mumbai SEZ (NSEZ) Pvt. Ltd. was considered by the BoA. Keeping in view the objections raised by DoR, the Board directed to constitute a committee, to be chaired by JS(AW), to scrutinize the revised proposal of NSEZ for its proper appreciation. The committee would include DC, SEEPZ, DGEP, representative of CBDT and Chief Commissioner of Customs, Mumbai. The committee would examine all issues related to the revised project including the contiguity issue of each of the five proposed SEZs.

**Item No. 46.13: Requests for change of sector/broad-banding the sector**

**(i) Request of M/s. Sri Kubera Infracon India Limited for change of sector of in-principally approved SEZ at Sadashivpet, Medak District, Andhra Pradesh from**

**‘Strategic manufacturing’ to ‘Engineering (Strategic manufacturing)’ and also extension of in-principle approval**

The Board noted that the change of sector has been proposed at the instance of DC, VSEZ to bring in more clarity to the existing sector. The Board, therefore, after deliberations granted approval to the request of the developer to change of sector from “Strategic manufacturing” to “Engineering (Strategic manufacturing)”.

The Board also granted first extension of validity of in-principle approval for a period of one year beyond the expiry of the initial validity (i.e. up to 9<sup>th</sup> March, 2012).

**Item No. 46.14: Requests for M/s. Sparrow Television Private limited, a unit in the Hi-Tec SEZ being developed by SIPCOT at Sriperumbudur, Tamil Nadu, for permission for carrying our manufacturing in job work basis for DTA units**

The representative of DoR pointing out the duty issues involved in the proposal and expressed apprehension about the unit achieving positive NFE status through the proposed activities. DC, MEPZ also expressed reservations about the proposed activities of the unit. Accordingly, the proposal was **rejected**.

**Item No. 46.15: Request of M/s. SFO Technologies Private Limited a unit in Cochin Special Economic Zone (CSEZ) for permission to broadband LoA to include items to be supplied to defence units under defence offset facilitation agency (DOFA)**

The Board after deliberations granted approval to the request of the unit to include printed circuit board assemblies, power supply, cable & wire harness, box build wired structure, metal enclosure in their Letter of Approval to enable supply to defence organizations under defence offset facilitation agency (DOFA). The approval of the Board is subject to the following:

- (i) Exports of such items may be regulated as per the provisions of Foreign Trade Policy and ITC (HS) Code.
- (ii) The licensing conditions will be finalized in consultation with the DIPP, the Department of Defence Production and the Ministry of Home Affairs.

**Item No. 46.16: Request received from NSEZ for renewal of LoP of M/s. Electro Optic Systems Division (unit-II), a unit in Noida SEZ, for another five years**

The Board after deliberations renewed the LoP of the unit for a period of 5 years from the date of expiry its validity (i.e. from 20.3.2011 to 19.3.2016).

**Item No. 46.17: Request of M/s. Oil and Natural Gas Corporation Limited C2-C3 Project – Dahej, a unit in M/s. Dahej SEZ Limited, Gujarat for grant of permission for entry and exit of pipelines for bringing LNG in SEZ and taking it back to the DTA**

After deliberations, the Board **approved** the request for entry and exit of pipe lines for bringing LNG in SEZ and taking it back to DTA. DC, Dahej has been directed to examine the issue regarding duty payable on the transaction involved in such operations and arrive at an acceptable position in this regard.

**Item No. 46.18: Request of ONGC Petro Additions Limited for notification of permitting net billing of LPG (C4) feed stock supplied from SEZ to DTA for**

**manufacturing PIB - Parity between DTA and SEZ in net billing of petrochemical feedstock**

After deliberations, the Board directed that DC, Dahej should examine the process of bringing LNG into DTA and taking it back to SEZ. The examination of the proposal for 'net billing' should include the nature of the input/output product, in terms of HS code etc, its valuation, as also the issue regarding duty payable on the transaction involved in such operations so as to arrive at an acceptable position in this regard. The proposal was accordingly, **deferred**.

**Item No. 46.19: Requests for extension of validity of LoP Plastic processing units**

**(i) Request for further extension of LoP of M/s. Precision Polyplast Private Limited, a unit in FSEZ**

Board, after deliberations, extended the LoP of the unit up to 15<sup>th</sup> July, 2011 as a stop gap arrangement till the finalization of policy regarding plastic processing units by DoC.

**Item No. 46.20: Request for transfer of unit from one SEZ to another**

**(i) Request of M/s. InterGlobe Technology Quotient Private Limited, a unit in Noida SEZ for shifting its location to sector specific SEZ for IT/ITES at Gurgaon, Haryana, being developed by M/s. Gurgaon Infospace Limited**

DC NSEZ requested some time to submit his report after examining the matter. Accordingly, the proposal was **deferred**.

**Item No. 46.21: Requests for extension of LoP of units beyond 4<sup>th</sup> year**

**(i) Request of M/s. Medgel Private Limited, a unit in Indore SEZ at Indore, Madhya Pradesh for extension of LoP beyond 03.04.2011**

The Board, after deliberations, extended the LoP of the unit for period of six months from the date of expiry of the validity of the last extension (i.e. up to 02<sup>nd</sup> October, 2011).

**(ii) Request of M/s. ONGC Petro additions Limited (OPaL), a unit in M/s. Dahej SEZ Limited, Gujarat for extension of LoP beyond 15<sup>th</sup> October 2011**

The Board, after deliberations, extended the LoP of the unit for period of one year from the date of expiry of the validity of the last extension (i.e. up to 15<sup>th</sup> October, 2012).

**(iii) Request of M/s. Pidilite Industrial Limited (PIL), a unit in M/s. Dahej SEZ Limited, Gujarat for extension of LoP beyond 15<sup>th</sup> August 2011**

The Board, after deliberations, extended the LoP of the unit for period of one year from the date of expiry of the validity of the last extension (i.e. 15<sup>th</sup> August, 2012).

**(iv) Request of M/s. Ushma Technologies Private Limited, a unit in Indore SEZ at Indore, Madhya Pradesh for extension of LoP beyond 15.01.2011**

The Board, after deliberations, extended the LoP of the unit for period of one year from the date of expiry of the validity of the last extension (i.e. up to 15<sup>th</sup> January, 2012).

**Item No. 46.22: Request for extension of LoP of units beyond 5<sup>th</sup> year**

**(i) Request of M/s. Shree Krishna Well Pack Private Limited, a unit in Indore SEZ at Indore, Madhya Pradesh for extension of LoP beyond 09.05.2010**

The Board, after deliberations, extended the LoP of the unit for period of two year from the date of expiry of the validity of the last extension (i.e. up to 9<sup>th</sup> May, 2012).

**Item No. 46.23: Request of M/s. Jabs International Private Limited a unit in the FTWZ at village Sai, Taluka Panvel, District Raigad, Maharashtra, being developed by M/s. Arshiya International Limited, for import/export of prohibited goods (pulses) and procurement of restricted items from DTA for export.**

Since the proposal involved procurement of restricted/prohibited items from the DTA, the Board after deliberations **rejected** the proposal.

**Item No. 46.24: Request of M/s. Haji Sattar Habib & Sons for setting up of unit for trading of pulses in the FTWZ at village Sai, Taluka Panvel, District Raigad, Maharashtra, being developed by M/s. Arshiya International Limited**

Since there was no categorical statement that there will be no DTA transaction, the Board after deliberations **rejected** the proposal.

**Item No. 46.25: Request of M/s. Qualit Agro Processors for setting up of unit for trading and processing of pulses in the sector specific SEZ for Food Processing at Tuticorin, Tamil Nadu, being developed by M/s. CCCL Pearl City Food Port SEZ Limited.**

The BoA emphasized that proposals involving consumables like pulses need careful examination so as to ensure that the domestic availability of such products is not affected. After deliberations the Board **approved** the request of M/s Qualit Agro Processors for setting up of the pulses processing unit, subject to the condition that:-

- (i) Pulses will be imported from outside India and no procurement shall be made from DTA till the prohibition on export of pulses continues under the Foreign Trade Policy (FTP).
- (ii) A mechanism shall be put in place so that DTA procurement of raw materials by the unit is strictly checked by the authorities concerned.

**Item No. 46.26: Request of M/s. Timbmet Engineered Products Private Limited, KASEZ for setting up unit in KASEZ for manufacturing of Biscuits and Confectioneries**

BoA noted that as per the present EXIM policy sugar is freely exportable. Therefore, the BoA remanded the proposal back to the UAC for consideration at that level.

**Item No. 46.27: Request of M/s. Milak Plastic Industries, KASEZ for amendment – in renewal/extension of Letter of Approval**

DC, KASEZ explained that the unit is using the waste generated by the other units located in the SEZ as raw material and there is no DTA procurement. The Board, after deliberations approved the proposal subject to the condition that no plastic scrap will be imported.

**Item No. 46.28: Request of M/s. Hansen Drives Limited for grant of approval for undertaking repair/reconditioning etc. of defective gear box units manufactured by third party (Indian and overseas) manufacturers**

The Board after deliberations approved the request of the unit for undertaking third party repair/re-engineering activities of gear boxes. BoA clarified that such repair/re-engineering activities would be carried out only on gearboxes imported from outside India and subject to the condition that the repaired gear boxes including waste, scrap etc should be re-exported as per Rule 18(4)(d) of the SEZ Rules. No repair/re-engineering activities are permitted for gearboxes etc from DTA.

**Item No. 46.29: Appeals before BoA**

**(i) Appeal of M/s. Erba Diagnostics Mannheim GmbH against rejection of the request for setting up a unit, in SEEPZ Special Economic Zone, Mumbai**

The Board noted that despite a number of deferments allowed in the past at the behest of the appellant, no representative was available to present their appeal. DC, SEEPZ also informed the Board that there was no merit in the appeal. Accordingly, the Board, after deliberations rejected the appeal.

**(ii) Appeal of M/s. Hansen Drives Limited, a unit in Synefra Engineering & Construction Limited SEZ, Tamil Nadu, against the order of DC, MEPZ, rejecting its request for broad banding of LoP to include trading activity as part of authorized operations.**

The Board granted hearing to the appellant. However, after deliberations the appeal was **rejected**, as the firm had the direct channel available for achieving this objective, outside the SEZ framework.

**(iii) Appeal of M/s. SE Electricals Ltd. against the order of Development Commissioner, MPEZ SEZ rejecting its request for removal of waste and scrap in DTA which were arisen out of repair/re-engineering and reconditioning of generators/control panels at appellants factory**

The Board granted hearing to the appellant. As the request made was not permissible within the provisions of SEZ Rules, the Board, after deliberations rejected the appeal.

**Item No. 46.30: Request for extension of validity of Letters of Permission (LOP) issued to the Plastic Reprocessing Sector at Kandla SEZ.**

The Board after deliberations deferred this item till the finalization of policy for plastic processing units.

## Decisions on the Supplementary Agenda

### Item No.46.31: Requests for co-developers

**(i) Request of M/s. Stylus Commercial Services Private Limited (SCSPL) for co-developer in the sector specific SEZ for Electronic Hardware and Software including IT/ITES at Rachenhalli and Nagavara villages, Hobli, Outer Ring Road, District Bangalore, Karnataka, being developed by M/s. Manyata Promoters Private Limited**

It was noted that the co-developer status is being sought to develop interiors and Fit-outs in the said area for letting out the space predominantly to Small and Medium Enterprises (SMEs) over an area of 21,696 sq. ft. The Board noted that while the SEZ Act and Rules do not debar a co-developer to operate a unit also, it noted that there can be cases where the co-developer, after developing the area, itself occupies a substantial part of the space so developed as a unit. Even though a unit and a co-developer are required to have separate accounts, in such an arrangement the possibility of the capital goods procured by the unit being loaded onto the co-developer to reduce the NFE obligation of the unit cannot be ruled out. The Board recognized that there was a need to arrive at an arrangement which could ensure that the affairs of the unit and co-developer are adequately ring fenced so as to avoid double dipping which could lead to a potential loss of revenue. The Board directed constitution of a committee under the chairmanship of JS (SEZ), DoC with representatives of CBDT and CBEC as members, to work out such an arrangement. Accordingly, the proposal was **deferred**.

**(ii) Request of M/s. Thousand Island Hotels and Resorts Private Limited for becoming a co-developer in the Multi Product SEZ at Kutch, Gujarat, being developed by M/s. Mundra Port and Special Economic Zone Limited (MPSEZL)**

**(iii) Request of M/s. Hirise Hospitality Private Limited for becoming a co-developer in the Multi Product SEZ at Kutch, Gujarat, being developed by M/s. Mundra Port and Special Economic Zone Limited (MPSEZL)**

Regarding (ii) and (iii) the Board discussed the report of DC, KASEZ and observed that the two existing co-developers namely M/s. Eon-Hinjewadi Infrastructure Private Limited and M/s. D.B. Hospitality have not taken any effective steps towards commencement of the approved projects. The Board observed that adequate justification is necessary for approving the two additional hotel projects when those already approved have failed to take off. After deliberations BoA **deferred** the requests.

### Item No. 46.32: Request for Authorized Operations

**Request of Metro Valley Business Park (P) Limited for authorized operations in the IT SEZ at Gurgaon, Haryana**

The BoA perused the proposal and after deliberations, the Board decided to **approve** amendment/ addition in the authorized operations to be carried out in the processing area, as per details given below:-

S. No.	Name of activity/item	Quantum as per existing approval	Quantum Requested and Approved
1.	Power Plant	50 MW	25 MW

2.	Basement equal to plinth area	Basement parking	Storage instead of parking
3.	Kitchenette	Nil	1000 sqm.
4.	Creche	Nil	50 sqm.

**Item No. 46.33: Request for increase/decrease in area**

**Request of M/s Divi's Laboratories Ltd. for addition of area in the sector specific SEZ for Pharmaceuticals at Chippada village, Bhimili Mandal, Visakhapatnam, Andhra Pradesh**

The Board after deliberations, decided to **approve** the request of M/s Divi's Laboratories Ltd. for addition of land admeasuring 17.648 hectares to the already notified area of the SEZ subject to the contiguity of the SEZ being maintained.

**Item No. 46.34: Request for de-notification**

**Request of M/s. Bengal Shapoorji Infrastructure Development Private Limited for de-notification of the sector specific SEZ for IT/ITES at A-III, New Town, Rajarhat, Kolkata, West Bengal, notified over an area of 20.2345 hectares**

After deliberations, the Board decided to **approve** the request of M/s. Bengal Shapoorji Infrastructure Development Private Limited for de-notification of the sector specific SEZ for IT/ITES at A-III, New Town, Rajarhat, Kolkata, West Bengal, notified over an area of 20.2345 hectares, subject to the DC's certificate that the developer has refunded all the tax/duty benefits, including service tax exemption, availed under the SEZ Act/Rules.

**Item No. 46.35: Request for M/s. Pune Hi-Tech Infra Engineering Private Limited for withdrawal of in-principle approval granted for setting up of sector specific SEZ for Engineering at villages Wing & Guthalwadi, Tehsil Khandala, District Satara, Maharashtra**

The Board noted that the in-principle of the developer has already expired on 25<sup>th</sup> October 2009. The Board, therefore, after deliberations decided to **approve** the request of M/s. Pune Hi-Tech Infra Engineering Private Limited for withdrawal of in-principle approval granted to them for setting up of sector specific SEZ for Engineering at village Wing & Guthalwadi, Tehsil Khandala, District Satara, Maharashtra, over an area of 109.89 hectares.

**Item No. 46.36: Request for first extension of validity of formal approvals**

**Request of M/s. Shirpur Gold Refinery Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for gems and jewellery at Shirpur, District Dhulia, Maharashtra beyond 20<sup>th</sup> June 2010.**

The Board, after deliberations extended the validity of the formal approval of the developer up to 20<sup>th</sup> June, 2011.

**Item No. 46.37: Requests for second extension of validity of formal approvals**

After deliberations, the Board decided to grant second extension of validity of formal approval in respect of each of the following 2 (Two) developers for a period of one year beyond the expiry of the validity period:-

- (i) Request of M/s. Karle Infra Projects Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Nagavara village, Bangalore North Taluk, Karnataka beyond 18<sup>th</sup> June 2011
- (ii) Request of M/s. Velankani Technology Parks Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware and Software including ITES at Sriperumbudur, Chennai, Tamil Nadu beyond 22<sup>nd</sup> May 2011

**Item No.46.38: Requests for third extension of validity of formal approvals**

**After deliberations, the Board decided to grant third extension of validity of formal approval in respect of each of the following 05 (Five) developers for a period of one year beyond the expiry of the validity period:-**

- (i) Request of M/s. Bagmane Builders Private Limited for third extension of the validity period of formal approval, granted for setting up of IT/ITES SEZ at KR Puram, Bangalore North, Karnataka beyond 25<sup>th</sup> October 2011
- (ii) Request of M/s. Satyam Computer Services Ltd. for third extension of the validity period of formal approval, for setting up of IT/ITES SEZ at Bahadurpally, Ranga Reddy District, Hyderabad, Andhra Pradesh, beyond 19<sup>th</sup> June 2011
- (iii) Request of Maharashtra Industrial Development Corporation for third extension of the validity period of formal approval, granted for setting up of Multi Product SEZ at Nandgaonpeth, District Amravati, Maharashtra, beyond 2<sup>nd</sup> April 2011
- (iv) Request of Maharashtra Industrial Development Corporation for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceutical at Krushnoor, District Nanded, Maharashtra, beyond 4<sup>th</sup> April 2011
- (v) Request of Maharashtra Industrial Development Corporation for third extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Agro Processing Industry at Additional Latur, District Latur, Maharashtra, beyond 4<sup>th</sup> April 2011

The BoA directed that a letter be written to Chief Secretary, Maharashtra to direct MIDC to expedite fulfillment of their obligations under various proposals.

**Item No. 45.39: Requests for grant of fourth extension of in-principle approval**

**(i) Request of M/s. Rewas Port Limited for extension of in-principle approval granted setting up of Multi Product SEZ at Rewas District Raigarh, Maharashtra, over an area of 2850 Hectares, beyond 25<sup>th</sup> June 2011.**

DC, SEEPZ informed the Board that the project is unlikely to take off in the future as the developer is unlikely to acquire the land for the project. The Board after, deliberations **rejected** the request for further extension of in-principle as the developer has failed to acquire the land even after lapse of four years after the grant of in-principle approval.

**Item No. 46.40: Requests for extension of LoP of units beyond 3<sup>rd</sup> year**

**(i) Request for extension of letters of permissions issued for setting up of units in the sector specific SEZ for IT/ITES at Phase-II, Hinjewadi, Pune being developed by Maharashtra Industrial Development Corporation.**

BoA observed that the progress by the developer MIDC has been very slow in terms of development of basic infrastructure which is necessary for the units to commence their operations. The board directed DC, SEEPZ to take up this issue with the State Govt. The Board, after deliberations, extended the LoP of the following units for period of one year from the date of expiry of the validity of the last extension:-

<b>S. No.</b>	<b>Name of the Unit</b>	<b>Date up to which the validity has been extended LoP</b>
1.	Patni Computer Systems Limited	04.02.2012
2.	Fulcrum Logic India Pvt. Ltd.	27.02.2012
3.	Neilsoft Limited	06.02.2012
4.	Clasoft Limited	04.09.2012
5.	Omnitech Infosolutions Limited	04.09.2012

A letter may also be written to Chief Secretary, Maharashtra

**Item No. 46.41: Requests for extension of LoP of units beyond 4<sup>th</sup> year**

**(i) Request of M/s. Wockhardt Limited a unit in the Pharmaceutical SEZ being developed by M/s. Wockhardt Infrastructure Development Limited at MIDC Industrial Area, Shendre, Aurangabad, Maharashtra, for extension of LoP beyond 19.07.2011**

The Board, after deliberations, extended the LoP of the unit for period of one year from the date of expiry of the validity of the last extension (i.e. 19<sup>th</sup> July, 2012).

**(ii) Request of M/s. Godrej & Boyce Manufacturing Company Limited, a unit in M/s. Dahej SEZ Limited, Gujarat for extension of LoP beyond 29<sup>th</sup> May 2011**

The Board, after deliberations, extended the LoP of the unit for period of one year from the date of expiry of the validity of the last extension (i.e. 29<sup>th</sup> May, 2012). Board, however directed the DC to monitor the progress of the unit.

**(iii) Requests of M/s. Hangers Plus (I) Private Limited a unit in M/s. Mahindra World City SEZ, Chennai for extension of LoP beyond 31<sup>st</sup> March 2011**

The Board, after deliberations, extended the LoP of the unit for period of one year from the date of expiry of the validity of the last extension (i.e. 31<sup>st</sup> March, 2012).

**Item No. 46.42: Request for extension of LoP of units beyond 5<sup>th</sup> year**

**(i) Requests of M/s. International Belting Limited a unit in Falta SEZ, Kolkata for extension of LoP beyond 31<sup>st</sup> March 2011**

The Board, after deliberations, extended the LoP of the unit for period of six months from the date of expiry of the validity of the last extension (i.e. 30<sup>th</sup> September, 2011).

**Item No. 46.43: Request for construction of boundary wall**

**(i) Request of M/s Sunny Vista Realtors Private Limited for 4 Nos. of Entry/Exit Points in the sector specific SEZ for services sector at village Bhokarpada, Taluka Panvel, District Raigad, Maharashtra**

The representative of DoR observed that there is no justification for 4 entry/exit gates for an SEZ having area of 139.83 hectares. DC SEEPZ was also of the view that since the development in the SEZ is very slow, the request of the developer is premature. Regarding the issue of boundary wall the DC requested for some additional time to examine the issue. BoA, therefore, after deliberations, **deferred** the proposal and directed DC SEEPZ to send a report clearly addressing both the issues.

**Item No. 46.44: Request for transfer of unit from one SEZ to another**

**(i) Request of M/s. Accenture Services Private Limited (ASPL), a unit in the sector specific SEZ for IT/ITES at Silokhera, DLF City, Gurgaon, Haryana by M/s. DLF Cyber City Developers Limited, for shifting its location to sector specific SEZ for IT/ITES at Gurgaon, Haryana, being developed by M/s. Gurgaon Infospace Limited**

DC NSEZ was directed to discuss the proposal with M/s. Accenture Services Private Limited to examine all aspects of the proposal and to apprise them about the implications of the proposed shifting of unit from one SEZ to another. Accordingly, the proposal was **deferred**.

**Item No. 46.45: Request for duty free procurement of Diesel/Fuel required for default authorized operations in respect of Multi Product SEZ at Taluka Shirur and Khed, District Pune, Maharashtra by M/s. Khed Economic Infrastructure Private Limited**

The representative of DoR stated that they needed additional time to offer their comments on the item. Accordingly, the request was **deferred** for the next meeting.

**Item No. 46.46: Request of SEZ units for import of prohibited items**

**(ii) Request of M/s. Southern Online Biotechnologies Limited, a Unit in APIIC SEZ, at Atchutapuram Mandal, Visakhapatnam, Andhra Pradesh for import of used cooking oil**

The Board, after deliberations, **approved** the request of the unit for import of used cooking oil for manufacturing Biodiesel, subject to the condition that:-

- 1) The imported cooking oil shall be exclusively used for manufacturing of Biodiesel and export thereof.
- 2) No DTA transaction shall be allowed.

BoA directed that DC, shall ensure compliance of the above conditions by the unit.

**Item No. 46.47: Request for extension of validity of LoP Plastic processing units**

**(i) Request for further extension of LoP of M/s. Amarnath Enviroplast Limited, a unit in FSEZ**

The Board, after deliberations, extended the LoP of the unit up to 15.07.11 as a stop gap arrangement till the finalization of policy regarding plastic processing units.

**Item No. 46.48: Request of M/s. JSL Limited for submission of Bond/Bank Guarantee in respect of liability arising on cancellation of Form-I under the Central Sales Tax, 1956 in respect of liability pertaining to Entry Tax**

DC Falta informed that M/s. JSL Limited have already paid the dues on account of customs duty, excise duty, service tax, refund of export benefits (DEPB) and entry tax amounting to Rs. 101.60 crores. DC has also informed that the developer has confirmed that company has availed CST benefit to the extent of Rs. 4.11 crores as developer and Rs. 2.29 crores as unit by way of using I-Forms. BoA noted that the proposal for de-bonding of their unit was also taken up in the Unit Approval Committee meeting held on 23.05.11 at Bhubaneswar. In the meeting, it was informed that developer as well as unit had utilized 158 Nos. of I-Forms availing benefit of Rs. 6.40 crores out of which they have been able to collect 101 Nos. of I-Forms from different suppliers after discharging liabilities at the supplier's end by way of making payment of Rs. 4.40 crores and have deposited 101 I-Forms to his Office. The balance 57 nos. I-Forms having liabilities towards CST @2% against "C" Forms works out to Rs. 1.99 crores which is yet to be liquidated. The developer has informed that it will take 4-5 months time to collect the I-Forms as it related to several States. DC proposed that a Bank Guarantee may be taken for Rs. 5 crores against liability of Rs. 2 crores for a period of six months both for de-bonding of the unit and de-notification of the developer.

After deliberations BoA approved the proposal of discharge of liability of the company by way of a bank guarantee of Rs 5 crore for a maximum period of 6 months i.e. till 30.11.11. The Board approved the proposal subject to the condition that in the event that the company fails to refund the amount of Rs. 2 crore within the above period of 6 months, the bank guarantee of 5 crore will be invoked for recovery of outstanding dues.

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**Annexure - 1**

**List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 31<sup>st</sup> May, 2011 under the Chairmanship of Commerce Secretary, Department of Commerce**

1. Dr. Rahul Khullar, Chairman BOA & Secretary, Department of Commerce.
2. Smt. Praveen Mahajan, Director General (DG), Department of Revenue, Ministry of Finance
3. Shri Pradip Mehrotra, CIT (ITA), CBDT, Department of Revenue, Ministry of Finance, New Delhi
4. Shri Raman Chopra, Director (ITA), CBDT, Department of Revenue, Ministry of Finance
5. Shri Vivek Ranjan, Additional Director, Department of Revenue, Ministry of Finance
6. Dr. L. B. Singhal, Joint DGFT, Director General of Foreign Trade
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8. Shri O.P. Sharma, Scientist-E, Department of IT
9. Shri Dinesh Pahadia, Deputy GM, RIICO, Government of Rajasthan, Jaipur, Rajasthan
10. Shri Manjunath Gonda, Resident Director, Karnataka Udyog Mitra Karnataka Bhavan – 3, Khelgaon Marg, New Delhi
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12. Shri O.P. Kapoor, Joint DG, EPCES
13. Shri S. D. Bhasor, US/Coord, Ministry of Defence
14. Shri R.C. Dahra, Additional Director, Government of Haryana, Industries, Haryana, Chandigarh
15. Dr. T.K. Chakravarthy, Consultant, Department of Chemicals & Petrochemicals
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17. Shri R.D. Meena, Research Assistant, TCPO, Ministry of Urban Development
18. Shri A.K. Dham, Liaison Officer, IDCO, New Delhi
19. Shri A.S. Das, IDCO, Bhubaneswar, Orissa

**LIST OF DEVELOPMENT COMMISSIONERS**

20. Shri M.S. Rao, Development Commissioner, VSEZ, Visakhapatnam, Andhra Pradesh
21. Smt. Anita Agnihotri, Development Commissioner, SEEPZ SEZ, Mumbai
22. Shri Suresh Chandra Panda, Development Commissioner, Noida SEZ, Uttar Pradesh
23. Shri Sanjeev Nandwani, Development Commissioner, Falta, Kolkata
24. Shri Vijay N. Shewale, Development Commissioner, Surat SEZ, Surat
25. Shri C. J. Mathew, Development Commissioner, CSEZ, Kochi.
26. Shri S. Kishore, Development Commissioner, AP SEZ
27. Shri Pravir Kumar, Development Commissioner, KASEZ & Dahej SEZ
28. Smt. Lata Shukla, Development Commissioner, Mundra SEZ
29. Shri K.L. Sharma, Development Commissioner, Sterling SEZ, Gujarat
30. Shri Ved Prakash, Development Commissioner, Mihan SEZ
31. Shri Anil Bamba, Development Commissioner, Sricity SEZ
32. Sh. S.N.Patil, Joint Development Commissioner, Dahej SEZ
33. Shri A.K. Rathore, Joint Development Commissioner, ISEZ, Indore, Madhya Pradesh

**LIST OF PARTICIPANTS OF DEPARTMENT OF COMMERCE**

34. Shri Anup Wadhawan, Joint Secretary, Department of Commerce
35. Shri Sanjeet Singh, Director, Department of Commerce
36. Shri R. K. Pandey, Under Secretary, Department of Commerce
37. Shri Achint Kumar, Section Officer, Department of Commerce