

Instruction no. 24

No. C.8/3/2009-SEZ
Government of India
Ministry of Commerce and Industry
Department of Commerce
(SEZ Section)

Udyog Bhawan, New Delhi
Dated the 16th July, 2009

To
All the DCs/ Developers of notified SEZs

Subject: Guidelines for dealing with "Requests for change in area of SEZs" - Reg.

Dear Sir/Madam,

It has been decided that the requests for change in area of SEZs should be routed through the concerned Development Commissioner. All the Developers of notified SEZs who wish to change the area of their SEZs may make an application to the Department of Commerce with a copy to the concerned Development Commissioner. For increase in area, the developer may apply in **Form Q** and for de-notification of a portion of area, the developer may apply in **Form R** along with the requisite documents.

2. The Development Commissioner, while recommending the proposal to the Board of approval will follow the guidelines prescribed in **Annexure - A**.

Yours faithfully

(T. Srinidhi)

Director

Tel: 2306 3265

E-mail: t.srinidhi@nic.in

Copy to:

1. DG, EPCES
2. Shri K. Jose Cyriac, Additional Secretary, Dept. Of Revenue, New Delhi
3. AS (DKM), JS/(AM)

(Annexure to Instruction No. 24)

Annexure - A

- i) The minimum area requirements as provided under Rule 5 of the SEZ Rules 2006 should be met.
- ii) The approval to various requests for changing the area of the SEZs may be approved on file provided the proposal is for modification of the non-notified SEZs.
- iii) Once the proposal is notified, proposals for expansion/reduction in the area may be placed before the BoA.
- iv) No further reduction of land is allowed for SEZs notified under Rule 5 (3) of the SEZ Rules, which prescribes the requirement of minimum area of land. In case such requests are received, the same will have to be placed before EGoM for a decision.
- v) On the requests received for addition of area, the concerned Development Commissioner should submit his report on possession/ownership, non-encumbrance, contiguity and vacancy
- vi) On the requests received for de-notification of a portion of area, the concerned Development Commissioner should submit his report on contiguity and vacancy. The concerned Development Commissioner will also submit details of duty free benefits/exemptions availed by the developer under SEZ Act and Rules in respect of the area to be de-notified.
- vii) The concerned Development Commissioner will also furnish details of units functioning in the area to be de-notified. If there are any units functioning in the area to be de-notified, the NOC from such units be furnished.

APPLICATION FORM FOR INCREASE IN AREA

[RULE 6A (ii) OF SEZ RULES, 2006]

S. No.	Name of the developer Location Sector	
1.	Details of formal approval (i) Approval No. (ii) Date (iii) Area	
2.	Details of notification (i) Date (ii) Area	
3.	Details of notification of additional area, if any (i) Date (ii) Area	
4.	Details of additional area sought	
5.	Total area after addition	
6.	Whether additional area to be included contiguous to the already notified area	
7.	Details of documents furnished with the application in support of possession/ownership of additional parcel of land	
8.	Whether combined coloured map (with proper legends) of the area notified and proposed additional area furnished	
9.	List of other documents enclosed i. Non-encumbrance certificate ii. Development Rights certificate iii. Certificate of the Developer regarding contiguity and vacancy iv. Certificate of the Revenue Authority regarding contiguity and vacancy	i. Not enclosed/Enclosed at Annexure____ ii. Not enclosed/Enclosed at Annexure____ iii. Not enclosed/Enclosed at Annexure____ iv. Not enclosed/Enclosed at Annexure____

10.	Whether contiguity relaxation sought, if yes, details thereof (In case of Multi Product SEZs only)	

I/We hereby declare that the above statements are true and correct to the best of my/our knowledge and belief. I/We will abide by any other condition, which may be stipulated by the Government of India. I/We fully understand that any Letter of Approval granted to me/us on the basis of the statement furnished is liable to cancellation or any other action that may be taken having regard to the circumstances of the case if it is found that any of the statements or facts therein are incorrect or false.

Place:	Signature of the Applicant
Date:	name in Block Letters
	Designation
	Official Seal/Stamp
	Tel. No. (i)
	(ii)
	Mobile No.
	E-mail
	Web-site, if any
	Full Residential Address

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FOR THE USE OF THE OFFICE OF DEVELOPMENT COMMISSIONER

I have verified the above mentioned details. I have carried out site inspection on _____ alongwith _____. The proposal is recommended/not recommended for consideration by the Board of Approval in the forthcoming meeting. The reasons for recommending/not recommending are detailed in enclosed report. The certificate of the developer has/has not been countersigned.

Place:	Signature of the Development Commissioner
Date:	Name in Block Letters
	Designation
	Official Seal/Stamp

APPLICATION FORM FOR DENOTIFICATION OF AREA**[RULE 6A (ii) OF SEZ RULES, 2006]**

S. No.	Name of the developer Location Sector	
11.	Details of formal approval (iv) Approval No. (v) Date (vi) Area	
12.	Details of notification (iii) Date (iv) Area (v) additional area, if any	
13.	Details of area to be de-notified	
14.	Total area after de-notification	
15.	Whether SEZ area will be contiguous after denotification	
16.	Reasons for de-notification of proposed area	
17.	Whether combined coloured map (with proper legends) of the area already notified and proposed de-notification area furnished	
18.	List of other documents enclosed v. Certificate of the Developer regarding contiguity vi. Details of duty free benefits/concessions availed under SEZ Act and Rules vii. Undertaking to refund the duty free benefits/concessions availed under SEZ Act and Rules viii. Details of Units functioning in the area to be de-notified ix. NOC from the Units functioning in the area to be de-notified	v. Not enclosed/Enclosed at Annexure____ vi. Not enclosed/Enclosed at Annexure____ vii. Not enclosed/Enclosed at Annexure____ viii. Not enclosed/Enclosed at Annexure____ ix. Not enclosed/Enclosed at Annexure____

I/We hereby declare that the above statements are true and correct to the best of my/our knowledge and belief. I/We will abide by any other condition, which may be stipulated by the Government of India. I/We fully understand that any Letter of Approval granted to me/us on the basis of the statement furnished is liable to cancellation or any other action that may be taken having regard to the circumstances of the case if it is found that any of the statements or facts therein are incorrect or false.

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FOR THE USE OF THE OFFICE OF DEVELOPMENT COMMISSIONER

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Designation
Official Seal/Stamp

