

No. K-43014(22)/5/2020-SEZ
Government of India
Ministry of Commerce and Industry
Department of Commerce
(SEZ Section)

Udyog Bhawan, New Delhi
Dated the 27th February, 2020

OFFICE MEMORANDUM

Subject: 96th (Ninety Sixth) Meeting of the Board of Approval on Special Economic Zones (SEZs) held on 26th February, 2020 at 11.30 A.M. – Reg.

Please find enclosed herewith Minutes of the 96th meeting of the Board of Approval for SEZs held on 26th February, 2020 under the Chairmanship of Shri Anup Wadhawan, Secretary, Department of Commerce for information and necessary action.

2. The Development Commissioners are requested to take urgent necessary action, on the directions of BoA requiring follow up action on their part, before the next meeting of the BoA.



(Senthil Nathan S)
Deputy Secretary to the Government of India
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Email: senthil.nathan@gov.in

To

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

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



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

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

A handwritten signature in black ink, consisting of several large, stylized loops and a long horizontal stroke extending to the right.

**Minutes of the 96th meeting of the Board of Approval for SEZs
held on 26th February, 2020**

The Ninety-sixth (96th) meeting of the Board of Approval (BoA) for Special Economic Zones (SEZs) was held on 26th February, 2020 under the chairmanship of Shri AnupWadhawan, Secretary, Department of Commerce, at 11.30 A.M. in Room No. 108, Udyog Bhawan, New Delhi. The list of participants is annexed (**Annexure-1**).

Item No. 96.1: Confirmation of minutes of the meeting of the 95th BoA held on 14th February, 2020.

The minutes of the 95th meeting of the BoA will be put up for ratification in the next BoA.

96.2 Request for co-developer status (Three proposals)

96.2(i) Request of M/s. Phoenix SEZ Developers Pvt. Ltd for co-developer status in the M/s. Phoenix Tech Zone Pvt. Ltd SEZ at Sy. No. 203 (P), Manikonda Village, Rajendra Nagar Mandal, Ranga Reddy District, Telangana for development, operation and maintenance of the SEZ and other activities.

The Board, after deliberations, approved the proposal of M/s. Phoenix SEZ Developers Pvt. Ltd to develop the proposed space within the land leased out by the developer and operate and maintain the same, over an area of 3.81 acres (1.54 hectares) in accordance with the co-developer agreement dated 30.01.2020, subject to compliance with relevant provisions of SEZ Act. The Co-developer shall seek all requisite approval of the designated authority for their activities.

96.2(ii) Request of M/s. HAAAS Corporation Pvt. Ltd for co-developer status in the M/s. Maharashtra Airport Development Corporation Ltd. (MIHAN) SEZ at Nagpur, Maharashtra

The Board, after deliberations, approved the proposal of M/s. HAAAS Corporation Pvt. Ltd. to develop the project as SEZ Co-Developer instead of SEZ Unit for setting up infrastructural facilities for IT & IT Enabled Services Unit and associated infrastructure facilities and service required for upkeep, maintenance and repair of common area facilities etc in accordance with the co-developer agreement dated 10.09.2019 entered into with the developer subject to the exit of the unit after paying all dues to the satisfaction of Development Commissioner and also subject to compliance of the relevant provisions of SEZ Act.

96.2(iii) Request of M/s. WTC Trades & Projects Pvt. Ltd. for co-developer status in M/s. Perungudi Real Estates Private Limited SEZ a sector specific SEZ for IT/ITES at OMR Road, Perungudi, Chennai, Tamil Nadu

The Board, after deliberations, approved the proposal of M/s. WTC Trades & Projects Pvt. Ltd. for the following operations in accordance with the co-developer agreement entered



into with the developer on 30.01.2020 subject to the entity obtaining all requisite approvals from the designated authority and also subject to compliance with relevant provisions of SEZ Act.

- Engineering maintenance including electrical and mechanical works, heating, ventilation and air conditioning (HVAC) systems, fire detection and alarm systems, water supply, storm drainage and sewage disposal, building upkeep services including maintenance of lift, lobby, conference hall, parking area utility area, garbage and scrap disposal, horticulture, pest control, façade cleaning services.
- Security services
- Fire and life safety measures
- Generation and supply of back up electricity and supply of chilled water
- Trade Promotional activities

Item No. 96.3 Setting up of new SEZ (Three proposals)

96.3(i) Request of M/s. DLF Limited for formal approval for setting up an IT/ITES SEZ (SEZ-I) over an area of 23.345 hectares at Village Bandhwari, Tehsil-Wazirabad, Distt- Gurugram (Haryana).

The Board, after deliberations, approved the proposal for setting up of a sector specific Special Economic Zone for IT/ITES (SEZ-I) at Village Bandhwari, Tehsil- Wazirabad, Distt- Gurugram (Haryana) over an area of 23.345 Ha. subject to the condition that the LoA for setting up of units would be issued only after the requirement of contiguity of the SEZ is fulfilled by the developer as per the relevant rules and instructions.

96.3(ii) Request of M/s. DLF Limited for formal approval for setting up an IT/ITES SEZ (SEZ-II) over an area of 23.978 hectares at Village Bandhwari, Tehsil-Wazirabad, Distt- Gurugram (Haryana).

The Board, after deliberations, approved the proposal for setting up of a sector specific Special Economic Zone for IT/ITES (SEZ-II) at Village Bandhwari, Tehsil- Wazirabad, Distt- Gurugram (Haryana) over an area of 23.978 Ha. subject to the condition that the LoA for setting up of units would be issued only after the requirement of contiguity of the SEZ is fulfilled by the developer as per the relevant rules and instructions.

96.3(iii) Request of M/s. Tata Consultancy Services Limited for grant of formal approval for setting up a “Information Technology/ Information Technology Enabled Services” SEZ over an area of 19.90 hectares at Plot No. 1, Sector-157, Noida (Uttar Pradesh).

The Board, after deliberations, approved the proposal for setting up of a sector specific Special Economic Zone for IT/ITES at Plot No. 1, Sector-157, Noida (Uttar Pradesh) over an area of 19.90 Ha.

96.4 Proposal for addition in area of SEZ (one proposal)

96.4(i) Request of M/s. Larsen & Toubro Limited, an SEZ for IT/ITES sector at



Hebbal- Hootagalli, Mysore for increase in area of 2.01 Ha (beyond 10%) to their existing notified SEZ over 10 Ha.

The Board, after deliberations, decided to approve the proposal for increase in area of 2.01 hectares.

96.5 Proposal for change in Shareholding Pattern (one proposal)

96.5(i) Request of M/s. Sri City Pvt. Ltd. Developer a Multi-Product SEZ at Satyavedu and Varadayyapalem Mandals, Chittoor District, Andhra Pradesh for change in shareholding pattern.

The Board, after deliberations, approved the proposal subject to approval by relevant statutory bodies with the 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. 96.6: Miscellaneous cases (Five proposals)

96.6(i) Request of M/s. Fermenta Biotech Limited a unit in Dahej SEZ for procurement of restricted items for their unit for setting up and & repairing of infrastructure facility in terms of Rule 27 of SEZ Rules, 2006.

The Board, after deliberations, decided to approve the proposal subject to the condition that the allowed items are actually used in the unit.

96.6(ii) Request of M/s. Tatva Chintan PharmaChem Pvt. Ltd. a unit in Dahej SEZ for procurement of restricted items for SEZ unit Infrastructure development & repairing facility in terms of SEZ Rule 27 of Rule 2006.

The Board, after deliberations, decided to approve the proposal subject to the condition that the allowed items are actually used in the unit.

96.6(iii) Request of M/s. Shiva Pharmachem Limited, a unit in Dahej SEZ for



procurement of restricted items for SEZ unit for setting up, expansion & repairing of Infrastructure facility in terms of SEZ Rule 27 of Rule 2006.

The Board, after deliberations, decided to approve the proposal subject to the condition that the allowed items are actually used in the unit.

96.6(iv) Request of M/s. Torrent Pharmaceuticals Ltd., a unit in Dahej SEZ for procurement of restricted items for SEZ unit for setting up & repairing of Infrastructure facility in terms of SEZ Rule 27 of Rule 2006.

The Board, after deliberations, decided to approve the proposal subject to the condition that the allowed items are actually used in the unit.

96.6(v) Irregularities and compliance issues in the port based SEZ developed by Cochin Port Trust in Puthuvypeen, Ernakulam, District, Kerala.

The Board, after deliberations, decided the following :

- i. Exit of GAIL as a unit from SEZ and the de-notification of area occupied by it are joint activities. In pursuance of the direction of the High Court of Kerala, BoA directed the DC, CSEZ to allow M/s GAIL exit as a unit from the SEZ scheme after repaying the duty benefits, if any, availed by them.
- ii. Thereafter, DC, CSEZ shall process the request of the developer, if any, for de-notification of the area occupied by M/s GAIL. If no such request has been received, DC may take up the matter with the Developer in the light of the request made by M/s GAIL and direction of the High Court in this regard.
- iii. BoA granted in-principle approval to the recommendation of the DC, CSEZ for providing a time period of one year to the Developer to bring another Unit having direct relationship with the activities of Developer/ Co-Developers in the SEZ to render it operational.
- iv. Till such time a new Unit is brought in, the Developer/Co-Developers shall not be allowed any duty-free procurement/import.
- v. BoA directed DC, CSEZ to ensure that the Developer constructs a compound wall for maintaining contiguity of the entire area of the Zone before it becomes operational again.



List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 26th February, 2020 under the Chairmanship of Commerce Secretary, Department of Commerce.

1. Shri Anup Wadhawan, Chairman, BoA & Commerce Secretary, Department of Commerce
2. Shri Amit Yadav, DG, DGFT
3. Shri Bidyut Behari Swain, Additional Secretary, Department of Commerce
4. Shri Senthil Nathan S, Deputy Secretary, Department of Commerce.
5. Shri Gulzar Ahmad Wani, US (ITA-I), CBDT
6. Shri Saroj Kumar Behera, Additional Commissioner, DGEP.
7. Shri Ram Chander Sankula, Pr. ADG, DGEP/CBIC.
8. Shri Ashish Dutta, Dy. Secretary, DPIIT
9. Shri Arvind Chaudhary, Director, M/o Shipping.
10. Shri Anil Kant Mishra, Research Assistant TCPO, Ministry of Urban Development, Vikas Bhawan, I.P. Estate, New Delhi
11. Shri Vijay Sharma, Director, M/o Petroleum & Natural Gas, New Delhi
12. Dr. S.K. Husain, Research Officer, TCPO/ M/o HUA
13. Shri Brij Pal, Assistant Director, Industries & Commerce, Govt. of Haryana
14. Shri G. Panmei, Deputy Legislative Council, D/o Legislative Department, Shastri Bhawan.
15. Shri A.K. Dham, Liaison officer, Govt. of Odisha Niwas, New Delhi
16. Shri G. Vaidyanathan Chief Engineer, Cochin Port Trust, Cochin
17. Shri Parmeshwar, General Manager, CCPG-Engg), Indian Oil Corporation Ltd, Mumbai
18. Shri S. Dhanapandians, Chief General Manager (LPG) Kerala, State Office, , Indian Oil Corporation Ltd, Kochi

LIST OF DEVELOPMENT COMMISSIONERS

1. Dr. L.B. Singhal, Development Commissioner, Noida SEZ
2. Dr. Amiya Chandra, Development Commissioner, KASEZ/ Adani Port SEZ, Mundra
3. Shri A. Rama Mohan Reddy, Development Commissioner, Visakhapatnam SEZ.
4. Dr. B.K. Panda, Development Commissioner, Falta SEZ
5. Shri R. Muthuraj, Development Commissioner, Sri City SEZ
6. Shri Anil Kumar Choudhary, Development Commissioner, Dahej SEZ
7. Shri A.K. Jha, Development Commissioner, Reliance SEZ, Jamnagar, Gujarat
8. Shri Jay Karan Singh, Development Commissioner, Mihan SEZ, Nagpur.
9. Shri D. Anandan, Joint Development Commissioner, Madras SEZ
10. Shri C.P.S. Chauhan, Joint Development Commissioner, SEEPZ- SEZ
11. Shri Saju K Surendran, Deputy Development Commissioner, Cochin SEZ

