

No. K-43022/133/2021-SEZ
Government of India
Ministry of Commerce and Industry
Department of Commerce
(SEZ Section)

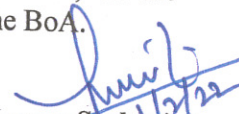
Udyog Bhawan, New Delhi
Dated the 1st February, 2022

OFFICE MEMORANDUM

Subject: 108th Meeting of the Board of Approval (BoA) for Special Economic Zones (SEZs) held on 27th January, 2022 at 4.30 P.M – reg.

Please find enclosed herewith Minutes of the 108th meeting of the Board of Approval for SEZs held on 27th January, 2022 under the Chairmanship of Shri B. V. R. Subrahmanyam, 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.


(Sumit Kumar Sachan)

Under Secretary to the Government of India

Tel: 2306 2496

Email: sumit.sachan@nic.in

To

1. Central Board of Excise and Customs, Member (Customs), Department of Revenue, North Block, New Delhi. (Fax: 23092628).
2. Central Board of Direct Taxes, Member (IT), Department of Revenue, North Block, New Delhi. (Telefax: 23092107).
3. Joint Secretary, Ministry of Finance, Department of Financial Services, Banking Division, Jeevan Deep Building, New Delhi (Fax: 23344462/23366797).
4. Additional 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, AtladraPadra Road, Vadodara - 390012
35. Development Commissioner, Andhra Pradesh Special Economic Zone, UdyogBhawan, 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, VikasSaudha, 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), LalBahadurShastriBhawan, Lucknow – 226001 (Fax: 0522-2238255).
52. Government of Punjab, Principal Secretary Department of Industry & Commerce UdyogBhawan), 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 SS (SK) / PPS to JS (VB)/ PPS to Dir (SNS).

**Minutes of the 108th meeting of the Board of Approval for SEZs
held on 27th January, 2022**

The One Hundred and Eighth (108th) meeting of the Board of Approval (BoA) for Special Economic Zones (SEZs) was held on 27th January, 2022 under the chairmanship of Shri B.V.R Subrahmanyam, Secretary, Department of Commerce, at 4.30 P.M. in Room No. 141, Udyog Bhawan, New Delhi through hybrid mode. The list of participants is annexed (Annexure-1).

108.1 Ratification of the minutes of the 107th meeting of the Board of Approval held on 25.11.2021.

The Board ratified the minutes of the 107th meeting of the BoA held on 25.11.2021.

108.2 Request for extension of LoA of the Developers (two proposals)

108.2(i) Request of M/s. GAR Corporation Pvt. Limited for further extension of the validity period of formal approval granted for setting up of 1T/1TES SEZ at Sy. No. 21-24 (P), Kokapet Village, Gandipet Mandal, Ranga Reddy District, Telangana beyond 18.01.2022.

The Board, after deliberations, approved extension of the validity of formal approval up to 18th January, 2023.

108.2(ii) Request of M/s Phoenix Tech Zone Pvt. Limited for further extension of the validity period of formal approval granted for setting up of IT/ITES SEZ at Sy. No. 118 (P), 120 (P), 121 (P), 122 (P) & 138 (P), Nanakramguda Village, Serilingampally Mandal, Ranga Reddy District, Telangana beyond 06.12.2021.

The Board, after deliberations, approved extension of the validity of formal approval up to 6th December, 2022.

108.3 Request for extension of LoA of the unit (three proposals)

108.3(i) Request of M/s Varsha Corporation Limited, a unit located at Arshiya FTWZ, Panvel, Raigad, Maharashtra for extension of the Letter of Approval (LOA) upto 30.12.2015.

The Board observed that :

- i. The validity of the LoA of the unit had expired in the year 2015.
- ii. In terms of Rule 19(5) of the SEZ Rules, 2006, if the unit has not commenced production of service activity within the validity period or the extended validity period under sub-rule (4), the Letter of Approval shall be deemed to have been lapsed with effect from the date on which its validity expired.

The Board, after deliberations, decided to reject the proposal. The Board further directed all Development Commissioners to make a list of such units in SEZs under their jurisdiction whose LoAs have expired for two years or more and to take necessary action for their cancellation of LoAs as well as exit from SEZs by following the due process in this regard.



108.3 (ii) Request of M/s HLE Engineers Pvt. Ltd, a unit at Plot no. Z/96/B, Village Luvara, Taluka Vagra, District Bharuch, Dahej SEZ, Gujarat for extension of validity of Letter of Approval upto 14.10.2022.

The Board, after deliberations, approved extension of the validity of LoA up to 14th October, 2022 with the condition that DC, Dahej SEZ may review the progress of the unit closely and if there is no substantial progress after six months, the DC shall bring the same to the notice of the BoA for an appropriate decision on continuation of the LoA of the unit.

108.3(iii) Request of M/s Rusan Pharma Ltd. in Indore SEZ for extension of Letter of Approval (LoA) beyond 01.12.2021 for one year up to 01.12.2022.

The Board, after deliberations, approved extension of the validity of LoA up to 1st December, 2022.

108.4 Requests for co-developer (five proposals)

108.4(i) Request for Co-Developer status to M/s. Esskay Design and Structures Private Limited in ELCOT IT/ITES SEZ, Navalpattu Village, Tiruchirappalli Taluk and District, Tamil Nadu.

The Board, after deliberations, approved the proposal of M/s. Esskay Design and Structures Private Limited for co-developer status to provide support in developing, operating and maintaining an area of 3 acres (1.21406 Ha) in accordance with the co-developer agreement dated 24.12.2021 entered into with the developer subject to standard terms and conditions as per the SEZ Act and Rules provided that the lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.

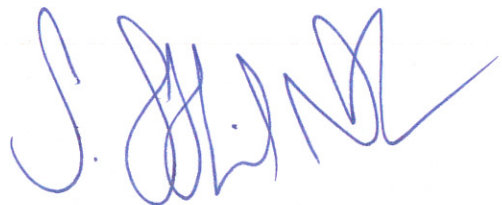
108.4(ii) Request of M/s Sarguja Rail Corridor Pvt. Ltd. for approval for co-developer status to operate, maintain and develop infrastructure facilities in Adani Ports and SEZ, Mundra, Gujarat.

The Board, after deliberations, approved the proposal of M/s. Sarguja Rail Corridor Pvt. Ltd. for co-developer status to operate, maintain and further develop rail infrastructure facilities and services in APSEZ in terms of Rule 3A of the SEZ Rules, 2006 and shall cover an area of 1325 Ha in accordance with the co-developer agreement dated 12.08.2021 entered into with the developer subject to standard terms and conditions as per the SEZ Act and Rules provided that the lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.

The approval shall also be subject to the condition that no duty benefits of any kind will be given to M/s Sarguja Rail Corridor Pvt. Ltd. for procurement of any material or services.

108.4(iii) Request of M/s Crownstone Constructions Private Limited for co-developer status in Aequs SEZ Pvt Ltd-SEZ, located at No. 55, Aequs Towers, Whitefield Main Road, Mahadevpura Post, Koppal, Bangalore, Karnataka for construction and development of infrastructure activities.

The Board, after deliberations, approved the proposal of M/s. Crownstone Constructions Private Limited for co-developer status for construction of units, development plan, road, external infrastructure for SEZ, water supply, security system, drainage system, sewage system, solid waste management, power supply, medical and food facility. The proposed number of units are 48 which shall cover total area of 5,76,000 sq.mtrs. of the processing area in accordance with the co-developer agreement dated 24.12.2021 entered into with the developer subject to standard terms and conditions as per the SEZ Act and Rules provided that the lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.



108.4(iv) Request of M/s. Rathinam Business Parks Private Limited for Co-developer status in M/s. Span Ventures Pvt. Ltd. an IT/ITES SEZ at Eachanari, Coimbatore.

The Board, after deliberations, approved the proposal of M/s. Rathinam Business Parks Private Limited for co-developer status for developing, operating and maintaining the IT infrastructure of 0.81 hectares (2.00 acres) out of 2.93 Ha of already notified SEZ land and providing other infrastructure facilities at the SEZ in accordance with the letter of intent dated 09.03.2020 entered into with the developer subject to standard terms and conditions as per the SEZ Act and Rules provided that the lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.

108.4(v) Request of M/s. Junomoneta International (IFSC) Private Limited, for approval as Co-Developer in Multi Services SEZ at Ratanpur, District Gandhinagar, Gujarat, developed by M/s. GIFT SEZ Limited.

The Board, after deliberations, approved the proposal of M/s. Junomoneta International (IFSC) Private Limited for co-developer status for construction, development, maintenance and operation of building having built-up area of 3,00,000 square feet within GIFT-SEZ processing area and comprising land admeasuring 3399 sq. Mtrs in accordance with the draft co-developer agreement entered into with the developer subject to standard terms and conditions as per the SEZ Act and Rules provided that the lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.

108.5 Cancellation of co-developer status (two proposals)

108.5(i) Proposal of M/s. Three C Facility Management Pvt. Ltd. for cancellation of Co-developer approval dated 16.06.2010 granted by DOC in respect of IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. at Plot No. 7, Sector-144, Noida (Uttar Pradesh).

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

108.5(ii) Request for cancellation of Co-Developer status of M/s Syngene International Limited in Mangalore Special Economic Zone.

The Board, after deliberations, approved cancellation of co-developer status granted to M/s. Syngene International Limited in the aforesaid SEZ and directed DC to ensure that the revenue is safeguarded and an undertaking is taken for indemnity against any future liability.

108.6 Miscellaneous Cases (one proposal)

108.6 (i) Request of M/s. Rain CII Carbon (Vizag) Limited (RCCVL) for permission for doing Job Work, wherein Foreign Buyers will supply Raw Petroleum Coke (RPC) and Calcined Petroleum Coke (CPC) as Raw Materials and take back the finished product, CPC.

The representation dated 21.01.2021 of the unit was considered by the Board of Approval in compliance of the directions of the Hon'ble High Court of Andhra Pradesh in its order dated 10.12.2021. The Board noted that the quantitative restriction imposed by the Hon'ble Supreme Court on import of RPC/CPC exist both for the DTA as well as the SEZ units. As such, the powers of Board of Approval are curtailed by the quantitative restrictions imposed by the Hon'ble Supreme Court.

The Board, therefore, concluded that the request of the unit is not tenable unless the unit is provided explicit relief by the Hon'ble Supreme Court.



Decisions on Supplementary Agenda

108.7 Request for extension of LoA of developer (one proposal)

108.7(i) Request of M/s. Cyber Corporation Manipur Limited for extension of validity of approval granted on 29.10.2013 for setting up of IT/ITES SEZ beyond 29.10.2021.

The Board decided to defer the proposal and directed that the matter be put up in the next BoA after a site inspection.

108.8 Requests for Co-Developer status (three proposals)

108.8(i) Request of M/s Athena Global Technologies Limited for Co-Developer status in M/s Phoenix Tech Zone Private Ltd. SEZ at 203(P), Manikonda Village, Rajendra Mandal, Ranga Reddy District, Telangana for providing infrastructure facilities for upgradation of the allotted built-up space to create plug & play environment.

The Board, after deliberations, approved the proposal of M/s. Athena Global Technologies Limited for co-developer status for providing infrastructure facilities for up-gradation of the allotted built-up space to create plug & play environment, operate and maintain the built-up space over an area of 5,00,000 sq. ft. in the above SEZ in accordance with the co-developer agreement dated 26.11.2021 entered into with the developer subject to standard terms and conditions as per the SEZ Act and Rules provided that the lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.

108.8(ii) Request of M/s. Savvy ATS Realty LLP, Ahmedabad for approval as Co-Developer in Multi Services SEZ at Ratanpur, District Gandhinagar, Gujarat, developed by M/s. GIFT SEZ Limited.

The Board, after deliberations, approved the proposal of M/s. Savvy ATS Realty LLP for co-developer status for construction, development, maintenance and operation of commercial building over an area admeasuring 4461 square meters within GIFT-SEZ processing area in accordance with the draft lease-cum-development agreement entered into with the developer subject to standard terms and conditions as per the SEZ Act and Rules provided that the lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.

108.8(iii) Request of M/s. Waystar Properties LLP, Ahmedabad for approval as Co-Developer in Multi Services SEZ at Ratanpur, District Gandhinagar, Gujarat, developed by M/s. GIFT SEZ Limited.

The Board, after deliberations, approved the proposal of M/s. Waystar Properties LLP for co-developer status for construction, development, maintenance and operation of commercial building over an area admeasuring 4414 square meters within GIFT-SEZ processing area in accordance with the draft lease-cum-development agreement entered into with the developer subject to standard terms and conditions as per the SEZ Act and Rules provided that the lease period shall be in accordance with DoC's Instruction No. 98 dated 29.08.2019.



108.9 Miscellaneous cases (two proposals)

108.9(i) Request of M/s. Accord IT Society for cancellation of co-developer status in M/s. Phoenix Tech Zone Pvt. Ltd., IT/ITES SEZ at Sy. No. 203 (P) Manikonda Village, Rajendra Nagar Mandal, Ranga Reddy District, Telangana.

The Board, after deliberations, approved cancellation of co-developer status granted to M/s. Accord IT Society in the aforesaid SEZ.

108.9(ii) Request of the developer, M/s. GIFT SEZ Limited, Gandhinagar, Gujarat for creation of dual use area in the demarcated non-processing area of the notified SEZ under Rule-11-A of the SEZ Rules, 2006.

The Board, after deliberations, approved the proposal subject to fulfilment of condition laid down in Rule 11A of the SEZ Rules, 2006



ANNEXURE - I

List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 27th January, 2022 under the Chairmanship of Commerce Secretary, Department of Commerce.

1. Shri B.V.R. Subrahmanyam, Chairman, BoA & Commerce Secretary, Department of Commerce.
2. Shri Santosh Kumar Sarangi, DG, DGFT.
3. Shri Vipul Bansal, Joint Secretary, Department of Commerce.
4. Shri A. Bipin Menon, Development Commissioner, Noida SEZ.
5. Dr. Amiya Chandra, Development Commissioner, Adani Ports & SEZ, Mundra.
6. Shri Akash Taneja, Development Commissioner, Kandla SEZ.
7. Shri Senthil Nathan S, Director, Department of Commerce.

List of participants connected via Video Conferencing.

1. Shri S. Kishore, Special Secretary, Department of Commerce.
2. Shri Rajeev Arora, Senior Development Commissioner, Sterling SEZ.
3. Shri Shanmuga Sundram, Development Commissioner, MEPZ.
4. Shri D.V. Swamy, Development Commissioner, CSEZ and VSEZ (Addl charge).
5. Shri R. Muthuraj, Development Commissioner, GIFT IFSC SEZ & Dahej SEZ
6. Shri Shyam Jagannathan, Development Commissioner, SEEPZ SEZ.
7. Shri Virendra Singh, Development Commissioner, Surat SEZ, Gujarat.
8. Shri B.K. Panda, Development Commissioner, Falta SEZ.
9. Shri S.K. Bansal, Development Commissioner, Indore SEZ.
10. Dr. V. Sraman, Development Commissioner, Mihaan SEZ.
11. Shri C.P.S. Chauhan, Joint Development Commissioner, SEEPZ- SEZ.
12. Shri Naveen Kushalappa, Joint Development Commissioner, CSEZ.
13. Shri R A Praveen Kumar, Joint Development Commissioner, APSEZ, Visakhapatnam.
14. Shri Ram Chander Sankhla, Pr.ADG, DGEP, M/o Finance.
15. Shri Sachin Kumar Singh, Joint Director, DGEP.
16. Shri Vikas Singh, Director, ITA-1, CBDT.
17. Shri B. Ramanjaneyulu, Director, DPIIT.
18. Smt. Manjusha Chourasia, Scientist D, Ministry of Electronics & Information Technology.
19. Dr. Krishna Kanth Pulicherla, Scientist D, Technology Development Transfer, Department of Science and Technology.
20. Shri O.P. Sharma, Industrial Advisor, Department of Chemicals & Petrochemicals.
21. Dr. S. K. Hussain, Research Officer, Town & Country Planning Organisation, Ministry of Housing & Urban Affairs.
22. Shri Anil Kant Mishra, Research Assistant, Town & Country Planning Organisation, Ministry of Housing & Urban Affairs.
23. Shri Bhupesh Varma, Assistant Legal Adviser, Department of Legal Affairs.

