



Government of India
Ministry of Commerce & Industry
Department of Commerce
Office of the Development Commissioner
Indore Special Economic Zone
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F. No. D-3/ISEZ/2006-07/ 3595

Dated: 08.02.2021

OFFICE – MEMORANDUM

Sub: Fourth Meeting (2020-21 series) of the Approval Committee for Indore SEZ to be held on 10.02.2021 at 3:00 p.m. – Reg.

The undersigned is directed to inform you that the Fourth Meeting (2020-21 series) of the Approval Committee constituted by the Govt. of India vide Notification dated 07.02.2007 has been scheduled to be held at 3:00 p.m. on 10.02.2021 under the chairmanship of the Development Commissioner, Indore SEZ through Video Conference (webex). Agenda Items for the same are enclosed as Annexure A.

2. You are requested to kindly make it convenient to attend the meeting through Video Conference. A weblink for the meeting shall be shared by this office shortly.

(Ravi Chhangani)

**Asstt. Development Commissioner
For Development Commissioner**

To

1. The Commissioner, Indore Division, Moti Bungalow, Indore (**Member representing Govt. of Madhya Pradesh**) or his nominee of suitable seniority.
2. The Managing Director, MPIDC, Cedmap Bhawan, 16-A, Jail Road, Arera Hills Bhopal (**Member representing Govt. of Madhya Pradesh**) or his nominee of suitable seniority.
3. The Commissioner, Customs, Office of the Commissioner of Customs, B-Zone, Business Space, 3rd Floor, 12/27 & 12/28 Village Pipliakumar, Nipania, Indore-452010 (M.P.) (**Member representing Deptt. of Revenue, Govt. of India**) or his nominee of suitable seniority.
4. The Commissioner of Income Tax (CIT-I), Office of the Chief Commissioner of Income Tax, Aayakar Bhawan Annexe, Opp. White Church, Indore-1 (**Member representing Deptt. of Revenue, Govt. of India**) or his nominee of suitable seniority.
5. The Jt. Director General of Foreign Trade, Nirman Sadan, Arera Hills, Hoshangabad Road, Bhopal (**Member**) or his nominee.

6. The Executive Director, MPIDC Regional Office, 1st Floor, Atulya IT Park, Near Crystal IT Park, Khandwa Road, Indore or his representative (**Special Invitee**).
7. The Dy. Secretary to the Govt. of India, Ministry of Commerce & Industry, Deptt. of Commerce, SEZ, Udyog Bhawan, New Delhi (**Member**) or his nominee.
8. The Dy. Secretary (IF-I), Ministry of Finance, Department of Financial Services, Jeevan Deep Building, Parliament Street, New Delhi (**Member**) or his nominee.
9. The Specified Officer, Indore SEZ (**Special Invitee**).

Copy for information to concerned units (without annexure).

INDORE SPECIAL ECONOMIC ZONE**AGENDA FOR THE FOURTH MEETING OF UNIT APPROVAL COMMITTEE (2020-21 series) TO BE HELD AT 3:00 p.m. ON 10.02.2021**

Venue: Office of the Development Commissioner, Indore SEZ
207, 2nd Floor, Atulya IT Park, Near Crystal IT Park, Khandwa Road, Indore

Time: 3:00 p.m.

ITEM NO - 1

Ratification of the Minutes of the Third Meeting (2020-21 series) held on 11.11.2020 as at Appendix 'X'.

ITEM NO- 2**PROPOSAL RECEIVED FROM EXISTING UNIT**

PROPOSAL NO. 2(i): M/s Kusum Healthcare Pvt. Ltd.

(a) Name and address, telephone/fax/email id	<p>M/s Kusum Healthcare Pvt. Ltd. Address: Plot No. M-3, Indore SEZ, Phase – II, Sector – 3, Pithampur, Distt. Dhar – (M.P.)</p>				
(b) Issue	<p>Request for inclusion of additional items of manufacture and enhancement of capacity of approved items in LoA No. C-49/ISEZ/Proj./2010-11/395 dated 14.06.2010:-</p> <p>M/s Kusum Healthcare Pvt. Ltd. is holding LoA dated 14.06.2010 and is operational w.e.f 10.09.2019 at plot No. M-3, SEZ Phase II. The unit has requested for inclusion of additional items of manufacture along with enhancement of capacity of approved items in the LoA as per the below mentioned details:-</p>				
	S. No.	Approved Item(s) of Manufacture in LoA	Additional new Item(s) of Manufacture	Approved Annual Capacity (in Nos.)	Revised Annual Capacity (in Nos.)
	1.	Tablets	No change	310 Million	600 Million
	2.	Capsules	No change	70 Million	120 Million

3.	Ointments (Tubes)	No change	15 Million	No change
4.	Dry Syrups (Bottles)	No change	8.5 Million	No change
5.	Dry Syrups (Pouches)	No change	12.5 Million	No change
6.	Injections	No change	150 Million	No change
7.	--	Granules Sachet/Pouch es	--	90 Million
8.	--	Pellet Sachet/Pouch es	--	12.50 Million

The unit has enclosed the company profile along with list of equipments required for manufacturing of the new items including manufacturing process chart.

With regard to the rational for enhancement in capacity of tablets and capsules, the unit has informed that at the time of taking the LoA on 14.06.2010, they had proposed the FOB value of exports for five years as Rs. 21,500 lacs and now the unit has started commercial production in 2019 and on the basis of their export market, demand and orders, the unit is expecting FOB value of approx. Rs.45,788 lacs for the next five years starting from 2020-21 to 2024-25. Further, the unit is currently exporting to Ukraine and Uzbekistan and has also taken GMP certificate from Philippines, Moldova and Cambodia for Exports and is even planning to go for European Union GMP certification to cater to the European market. In the financial year 20-21 the unit has stated to achieve approx. 240 million tablets capacity till date and is expecting that the same will increase in coming years. The unit is also expecting rise in production of capsules on the basis of future export demand and orders.

Further, the unit has submitted the following documents in support of their proposal:-

- (i) List of imported and indigenous plant and machinery along with quantity and value required for the enhanced capacity as well as that required for additional items of manufacture;
- (ii) List of imported and indigenous raw material and their source of procurement;
- (iii) Details of export market wherein the unit has taken GMP certificates of countries like Ukraine, Moldova, Philippines, Cambodia, Uzbekistan etc.;

	<p>(iv) Manufacturing process flow charts for the newly proposed item namely Pallets and Sachet;</p> <p>(v) Copies of GMP certificate received from Food & Drug Administration, Govt. of M.P.;</p> <p>(vi) Copy of production layout drawing for equipment location; and</p> <p>(vii) Revised foreign exchange balance sheet pursuant to the proposed enhancement in capacity of approved items and inclusion of additional items as under:</p> <p>FoB value of export during first five years - Rs. 45,788.00 lacs Foreign Exchange Outgo - Rs. 1685.00 lacs Net Foreign Exchange earning - Rs. 44,103.00 lacs</p> <p>The unit has therefore requested to (i) enhance the annual capacity of the items of manufacture approved in the LoA, namely, Tablets and Capsules; and (ii) broadband the LoA by adding new products namely Granules Sachet/Pouches and Pellet Sachet/Pouches.</p> <p>The proposal of the unit is placed before the Approval Committee for consideration and suitable decision in terms of Rule 19(2) of SEZ Rules, 2006.</p>
Decision required from UAC	Approval for inclusion of additional items of manufacture and enhancement of capacity of approved items in LoA
DECISION OF THE UAC	

PROPOSAL NO. 2(ii): M/s Shriji Polymers (India) Ltd.

(a) Name and address, telephone/fax/email id	<p>M/s Shriji Polymers (India) Ltd. Address: Plot No. M-9, SEZ Phase-II, Indore SEZ, Sector-3, Pithampur – 454775, Distt. Dhar</p>
(b) Issue	<p>Proposal received from M/s Shriji Polymers (India) Pvt. Ltd. for expansion of its unit located at Plot No. M-9, SEZ Phase II, Pithampur, Distt. Dhar:-</p> <p>M/s Shriji Polymers (India) Pvt. Ltd. is holding LoA No. C-44/ISEZ/Proj./2009-10/1602 dated 26.03.2010 for manufacturing of HDPE containers, CT and CR caps and is operational in the Zone w.e.f. 11.05.2012. The unit is located at Plot No. M-9, SEZ Phase II, Pithampur, Distt. Dhar. The unit has submitted the captioned proposal for expansion of its existing facility stating that looking to the huge requirements of their products in the market, their management has decided to expand the business for which they intend to invest Rs. 115.00 crores in the proposed expansion. The unit has stated that they have already filed an application for allotment of 10,000 sq.mtr. of land of Plot No. M-8, SEZ Phase II</p>

and have obtained a Letter of Intent vide application No. 1020012012001 dated 15.12.2020 through which the Developer, MPIDC, RO, Indore has proposed to allot Plot No. M-8, SEZ Phase II to the unit.

The unit has therefore proposed to manufacture the items approved in the LoA, as amended, for its expansion project as per the below mentioned details:-

S. No.	Approved Item(s) of Manufacture in LoA	Item(s) of Manufacture proposed for expansion in Plot No. M-8	Approved Annual Capacity in LoA (in lacs Nos.)	Proposed Annual Capacity for expansion (in lacs Nos.)	ITC (HS) Code
1.	HDPE Bottles	--	8,91,00,000	--	39233090
2.	Assembled CT cap	--	10,00,00,000	--	39235010
3.	Assembled CR cap	--	6,00,00,000	--	39235010
4.	CT Cap	--	3,60,00,000	--	39235010
5.	CR Cap	--	3,60,00,000	--	39235010
6.	--	HDPE Bottles	--	17,52,00,000	39233090
7.	--	CT Cap	--	10,56,00,000	39235010
8.	--	CR Cap	--	10,56,00,000	39235010

The unit has submitted the following documents/information in support of their application for expansion project: (i) Application in Form-F; (ii) Project Report; (iii) Letter of Intent for allotment of Plot No. M-8, SEZ Phase, II issued by the Developer; (iv) Statement of NFE earnings in last five years along with copies of APRs; (v) Copy of Certificate of Incorporation and Memorandum & Articles of Association; (vi) Audited Balance Sheets of last five years; (vii) Copy of PAN card and residence proof of promoters; and (viii) copy of existing LoA.

Revised foreign exchange balance sheet pursuant to the proposed expansion is as under:

FoB value of export during first five years	-	Rs. 36,186.00 lacs
Foreign Exchange Outgo	-	Rs. 20631.15 lacs
Net Foreign Exchange earning	-	Rs. 15554.85 lacs

	<p>As per records available with this office, Plot No. M-8, SEZ Phase II had been allotted to M/s Sarks Metal Pvt. Ltd. for which the lease deed was executed by the Developer on 08.04.2010. Subsequently, the Developer vide Order dated 22.12.2018 had cancelled the lease deed with the advise to the unit for filing an appeal within 30 days of the date of issuance of Order, if they so desire. No further correspondence in the context is available in file of M/s Sarks Metal Pvt. Ltd.</p> <p>In view of the application filed by M/s Shriji Polymers (India) Pvt. Ltd., the Developer, MPIDC, RO, Indore was requested to forward their comments in the matter and also intimate whether Plot No. M-8, SEZ Phase II is available for allotment to the unit.</p> <p>In response, the Developer, MPIDC, RO, Indore has informed that the lease deed of plot No. M-8, SEZ Phase II allotted to M/s Sarks Metal Pvt. Ltd. was cancelled by their Office Order No. 15720-22 dated 02.12.2019. In view of the Cancellation Order, the unit filed an appeal before the Managing Director, MPIDC, Bhopal. MPIDC, Bhopal vide Order No. 282 dated 07.07.2020 upheld the Order No. 15720-22 dated 02.12.2019 issued by MPIDC, RO, Indore and issued instructions for taking possession of the plot and take suitable action. The Developer has further informed that the unit thereafter filed a reconsideration appeal dated 16.07.2020 before the Chairman, MPIDC Ltd. and Principal Secretary, Deptt. of Industrial Policy and Investment Promotion, Govt. of M.P., Bhopal. The Chairman, MPIDC Ltd. and Principal Secretary, Deptt. of Industrial Policy and Investment Promotion, Govt. of M.P., Bhopal vide Order No. 988 dated 05.09.2020 cancelled the reconsideration appeal of the unit and upheld the Cancellation Order issued by MPIDC, RO, Indore and MPIDC, Bhopal.</p> <p>The Developer has accordingly informed that plot No. M-8, SEZ Phase-II is available for allotment.</p> <p>Considering the comments received from the Developer with the information that the plot No. M-8, SEZ Phase-II is available for allotment, the proposal received from M/s Shriji Polymers (India) Pvt. Ltd. for expansion of their unit and carrying out the manufacturing activities of certain existing items as approved in the LoA dated 26.03.2010 i.e. HDPE Bottles, CT Cap and CR Cap as per the proposed annual capacities on plot No. M-8, SEZ Phase-II is placed before the Approval Committee of the SEZ for consideration under Rule 19(2) of SEZ Rules, 2006.</p>
Decision required from UAC	Proposal received from M/s Shriji Polymers (India) Pvt. Ltd. for expansion of its unit.

PROPOSAL NO. 2(iii): M/s Shree Flex Print Pvt. Ltd.

(a) Name and address, telephone/fax/email id	M/s Shree Flex Print Pvt. Ltd. Address: Plot No. 24-28, SEZ Phase-II, Indore SEZ, Sector-3, Pithampur – 454775, Distt. Dhar
(b) Issue	<p>Request for allotment of additional land admeasuring approx. 8500-10000 sq. ft. for meeting the requirements of the present unit of M/s Shree Flex Print Pvt. Ltd. at SEZ Phase II operating under LoA No. C-85/ISEZ/Proj./2013-14/615 dated 25.07.2013:-</p> <p>M/s Shree Flex Print Pvt. Ltd., operating on Plot No. 24 to 27 and P-28 in SEZ Phase II is engaged in manufacturing of corrugated boxes and corrugated sheets. The unit has submitted a request for allotment of additional land admeasuring appx. 8500-10000 sq. ft. adjacent to their current plots in SEZ Phase-II stating that they are facing paucity of storage space as their customers, who are pharmaceutical and other manufacturing units in the SEZ require ready stock of finished goods, which is to be supplied according to their needs. Simultaneously, the unit has to maintain inventory of raw material as per customer specifications and has therefore stated that they are facing acute space problem. The unit has therefore requested for allotment of additional land admeasuring appx. 8500-10000 sq. ft. adjoining to their allotted plots for the purpose of storage of material and storage of some part of plant and machinery etc. in order to meet the requirements of its facility. The unit has informed that there will be no change in the production capacity approved in the LoA dated 25.07.2013.</p> <p>In view of the request, MPIDC, RO Indore, Developer was requested to confirm availability of additional land admeasuring appx. 8500-10000 sq. ft. adjacent to the unit for allotment.</p> <p>In response, the Developer, MPIDC, Regional Office, Indore has informed that the Developer can provide land adjacent to M/s Shree Flex Print Pvt. Ltd. in SEZ Phase-II and has requested this Office to issue LoP in favour of the unit at the earliest.</p> <p>While, the LoA in favour of the unit has already been issued, the issue at hand is that the unit has requested for an additional land admeasuring approx 855-10000 sq. ft. adjacent to the unit located at plot Nos. 24 to 27 and P-28 in SEZ Phase-II for storage of material and some part of plant and machinery in order to meet the</p>

	requirement of the existing facility. Considering the confirmation regarding availability and allotment of land adjacent to the unit, the matter is placed before the Approval Committee of the SEZ for consideration.
Decision required from UAC	Request for allotment of additional land admeasuring approx. 8500-10000 sq. ft. for meeting the requirements of the present unit under LoA dated 25.07.2013.
DECISION OF THE UAC	

ITEM NO- 3

OTHER ISSUES

(a) Name and address, telephone/fax/email id	<p>M/s Rusan Pharma Ltd. Address: Plot No. M-21, SEZ Phase-II, Indore SEZ, Sector-3, Pithampur – 454775, Distt. Dhar</p> <p>M/s Shree Mahaveer Home Décor Pvt. Ltd. Address: Plot No. M-29, SEZ Phase-II, Indore SEZ, Sector-3, Pithampur – 454775, Distt. Dhar</p>
(b) Issue	<p>Approval of building plans received from M/s Rusan Pharma Ltd. and M/s Shree Mahaveer Home Décor Pvt. Ltd. on the basis of technical inputs and approval accorded by MPIDC, RO, Indore, Developer, Indore SEZ, Pithampur.</p> <p>M/s Rusan Pharma Ltd. holding LoA dated 02.12.2016 and M/s Shree Mahaveer Home Décor Pvt. Ltd. holding LoA dated 06.07.2020 have been allotted Plot No. M-21 and Plot No. M-29 in SEZ Phase II by the Developer, Madhya Pradesh Industrial Development Corporation, Regional Office Indore. Before commencing the construction activities on the allocated plots, the units are required to obtain approval of their Building Plans.</p> <p>The background of the matter is that during a meeting held under the Chairmanship of the Chief Secretary, Government of Madhya Pradesh on 24.03 2015, it was decided that the Development Control Rules (DCRs) be Notified for the multi product SEZs in the State in line with the M.P. Bhumi Vikas Niyam, 2012 and the building plans of the SEZ units be submitted to the Development Commissioner for approval under the said DCRs. The DCRs were to be framed by the Department of Industrial Policy and Investment Promotion (erstwhile the Deptt. of Commerce, Industry and Employment), Govt. of M.P. It was further decided that till the rules are framed the applications may be submitted to the Development Commissioner who after attaining technical inputs from the Developer will approve</p>

the plans under the Single Window Mechanism.

Accordingly, the SEZ units in the multi-product SEZ at Pithampur were submitting their building plan applications for approval in terms of M.P. Bhumi Vikas Niyam, 2012 to this Office, which accompanied by requisite documents and building plans were forwarded to MPIDC, Regional Office, Indore for scrutiny, evaluation, technical inputs and approval. Subsequent to receipt of technical inputs, the plans received from MPIDC are approved under the seal and signature of DC office under the Single Window Mechanism and forwarded to the SEZ units.

The above matter was taken up with MPIDC, RO, Indore vide this Office letter dated 15.10.2020 intimating that the requisite DCRs are yet to be framed by the State Government, and presently, the DC Office is granting the building plan approvals in line with the decision taken in the aforesaid meeting after receiving technical inputs from MPIDC under the Single Window Mechanism. It was informed that, in absence of the DCRs and also on account of a change in the Governing Act under which the applications are to be submitted by SEZ units, it is felt appropriate that the Developer may take up the matter with the State Government seeking clarification as to whether the presently adopted mechanism should continue or some other mechanism is proposed to be adopted.

In response the Developer vide letter dated 07.11.2020 informed that the Special Economic Zone, Phase I & II are notified in Pithampur Investment Region under Madhya Pradesh Investment Region Development and Management Act, 2013 and accordingly, the Development Control Rules namely Madhya Pradesh Investment Region Development and Management Rules, 2016 and Madhya Pradesh Industrial Land and Building Management Rules, 2019 will be applicable at SEZ, Pithampur.

The Developer was therefore informed that since the Development Commissioner has not been delegated any powers for approval of building plans under the afore-mentioned Act and Rules, the application of building plans submitted in this office by M/s Shree Mahaveer Home Decor Pvt. Ltd., Plot No. M-29, SEZ Phase II and M/s Rusan Pharma Ltd., Plot No. M-21, SEZ Phase II, Pithampur are being sent for granting necessary approval at their end, as per procedure.

The Developer referring to the above communications vide letter dated 29.01.2021 has now informed that as per Rule 17 of SEZ Rules, 2006, as amended, the powers regarding such approvals are provided to the Unit Approval Committee and therefore in view of the provisions such approval of building plans may be granted by DC office in pursuance to the UAC approvals.

	<p>The Developer clarified that 44 villages of Indore and Dhar district were covered under the Madhya Pradesh Industrial and Development Rules, 2016 and Madhya Pradesh Industrial land and Building Management Rules, 2019 out of which few villages are included between SEZ and in DTA, but for SEZs there no provision of DCRs and there is no motive in their communication to say that approval of building plans of SEZ units shall be done at their end. The Developer has insisted that as per Single Window Mechanism powers of approval of building plans are provided to the UAC. The Developer has informed that for delegation of power of the State Government under section 50 of the SEZ Act, 2005, a request has been sent to the State Government Department of Industrial Policy and Investment Promotion. The Developer has stated that there is no change in regard to SEZ's building plan approval after implementation of Madhya Pradesh Industrial Land and Building Management Rules, 2019 and hence, in terms of the decision of the meeting of the Chief Secretary, Govt. of M.P. on 24th March 2015, the ongoing system of building plan approval may be continued till further delegation of power or new DCRs are issued.</p> <p>Rule 17 of SEZ Rules, 2006 inter alia provide that applications seeking permission for building plan approval shall be made to the Development Commissioner who shall get the proposal scrutinized and place before the Approval Committee for its consideration.</p> <p>In the case of the afore-stated two units technical inputs and approval for issuance of building plans have been forwarded by the Developer to DC Office. The building plans of the units are therefore placed before the Approval Committee for consideration and approval.</p>
Decision required from UAC	Approval of building plans of M/s Shree Mahaveer Home Decor Pvt. Ltd., Plot No. M-29, SEZ Phase II and M/s Rusan Pharma Ltd., Plot No. M-21, SEZ Phase II, Pithampur as per technical inputs & approval received from MPIDC, RO, Indore, Developer of Indore SEZ.
DECISION OF THE UAC	

ITEM NO - 4

Any other proposal, if received.