

Minutes of the 148th (one hundred-forty eighth) meeting of the Approval Committee for GIFT-Multiservice-SEZ held on Tuesday, October 22, 2024, at 1200 hours, from the conference room of the Developer (GIFT-SEZ, Gandhinagar), through hybrid mode, i.e., in-person as well as video conferencing mode.

- The list of participants is annexed as Annexure-I.

148-I) The circulated minutes of the 147th meeting of the Approval Committee for GIFT-Multiservice-SEZ, held on October 14, 2024, were confirmed by the Approval Committee for GIFT-SEZ.

CASE No. 148-C-1

Subject:- Application/Request of the Developer – M/s. GIFT City Company Limited, for allocation of space in GIFT House, Gandhinagar, to the Institute of Company Secretaries of India (ICSI).

Sector Specific SEZ for Multi-services, being developed by M/s. GIFT City Company Limited, Gandhinagar was notified for an area of 105-43-86 Hectares at Villages Phirozpur and Ratanpur, District Gandhinagar vide Notification No. S.O.1910 (E), dated 18-08-2011.

Now, the Developer – M/s. GIFT City Company Limited, vide their letter dated 04-10-2024 (copy enclosed) intends/seeks approval to provide Office No. F/3 on the first floor of GIFT House admeasuring a built-up area of 70 square feet to the “Institute of Company Secretaries of India (ICSI) in terms of Rule-11 (5) of the SEZ Rules, 2006. The ICSI intend to establish a Chapter office in GIFT-SEZ, to cater/provide 1) Skill Development Activities; 2) Designing, Developing, and conducting courses and seminars/conferences; 3) Customized training for officials; 4) Capacity building activities; 5) Skilled manpower provisioning; 6) In-house Training Centre; and 7) Evolving Regulatory Landscape, for development overall financial ecosystem.

Such type of services are allowed in terms of the provisions of Rule-11 (5) of the SEZ Rules, 2006, quote *“Provided that the Developer may, with the prior approval of the Approval Committee, grant on lease land or built-up space, for creating facilities such as canteen, public telephone booths, first aid centers, crèche and such other facilities as may be required for the exclusive use of the unit.”* Unquote.

In view of the above, the Approval Committee may kindly like to consider the request of the developer M/s. GIFT Company Limited to allocate specified area/space to the above services provider subject to no fiscal benefits and adhering to all required checks & balances, and safeguards for their operations for exclusive of SEZ developer, co-developers, units in GIFT-SEZ, under the SEZ Act and Rules.

Decision of the Approval Committee in its 147th meeting held on October 14, 2024:

The Chairman and Approval Committee decided to share the CAG's audit observations regarding space allocation in processing areas under Rule 11(5) of the SEZ Rules, 2006, with the Approval Committee members. This will facilitate active discussions and enable a decision at the next Approval Committee meeting. Additionally, the UAC will convene in a week to address this issue. As a result, the committee has opted to defer the case for now.

In view of the above, the Approval Committee may kindly like to re-consider the request of the developer in view of the CAG Audit para as well as applicable SEZ Act and Rules.

Decision of UAC: The issue of allowing ICSI to have a space in the processing area of GIFT-SEZ under Rule 11(5) of the SEZ Rules, 2006 was discussed in detail by the members. The Committee noted that the Ministry of Commerce, in paragraph 3 of a reply letter dated 4 October 2023 to SeepZ SEZ, addressed this issue, stating:

“As per Rule 11(5) of SEZ Rules, 2006 read harmoniously with Instruction No. 50 dated 15.3.2010, the facility developed by the Developer/ Co-developer is meant for use of all units of the zone. It does not restrict user of facility for any particular unit only which would render such facilities unviable. Further, it is understood that in all zones including SEEPZ SEZ, the Approval Committee is allowing Developer/ Co-developer to set up facilities under Rule 11(5) for use of all SEZ units of the zone.”

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The Chairman of the committee expressed that establishing facilities (CFC) under Rule 11(5) of the SEZ Rules within GIFT SEZ would benefit all SEZ units in the zone. The Sr. Vice President of GIFT-SEZ requested time to consult with their management. The Chairman also asked them to review the practices followed by other SEZs.

Therefore, the Approval Committee decided to defer the case until the next meeting.

ANNEXURE – I

The following members were present in the meeting:

1	Shri Lokesh H.D., ITS, Development Commissioner/GIFT-SEZ.	Chairperson- by VC.
2	Shri Dharmendrasinh Jadeja, GM/DIC, Gandhinagar.	Member- by VC.
3	Dr. Rahul Singh, Jt. DGFT.	Nominee of Additional DGFT, Ahmedabad – by VC.
4	Shri. Devanshu Dhorajia	Representative - Collector, Gandhinagar – by VC
5	Sh. Manish Kumar, Superintendent, CGST Gandhinagar Division	Nominee of the Commissioner of Central GST, Gandhinagar– by VC.
6	Shri Goutham S DGM, IFSCA	Special Invitee- by VC.
7	Shri Piyush Gandhi, Sr. VP.	Nominee of Special Invitee representing the Developer.