

महाराष्ट्र MAHARASHTRA

2020

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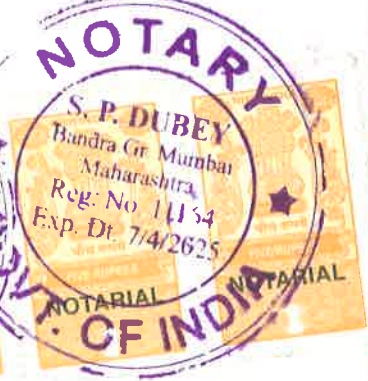


कोषागार कार्यालय, ठाणे

28 JAN 2021



FEB 2021



जिल्हा कोषागार कार्यालय, ठाणे

28 JAN 2021

मुद्रांक प्रमुख लिपीक / लिपीक

BEFORE

THE MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

MUMBAI

IN THE MATTER OF

Petition of M/s. Gigaplex Estate Private Limited (GEPL) for obtaining the Hon'ble Commission's approval for the amendment of MERC (Specific Conditions of Distribution Licence applicable to M/s Gigaplex Estate Pvt. Ltd.,





for IT & ITES SEZ at Airoli Knowledge Park, TTC Industrial Area, Dist. Thane) Regulations, 2015, as amended from time to time, due to partial notification in area and partial de-notification in area specified in SEZ Notification No. S.O. 2143 (E) dated June 1, 2021, leading to change in the licence area of GEPL.

AND

IN THE MATTER OF

Gigaplex Estate Private Limited

Plot No. C-30, Block 'G',

Opp. SIDBI, Bandra Kurla Complex,

Bandra (E), Mumbai - 400 051

... The Petitioner

I, Nitin N. Chunarkar, aged 40 years, son of Shri. Narayan S. Chunarkar, having my office at Plot No. C-30, Block 'G', Opp. SIDBI, Bandra Kurla Complex, Bandra (E), Mumbai - 400 051, do solemnly affirm and say as follows:

1. I am the Authorized Signatory of Gigaplex Estate Private Limited, the applicant in the above matter, and am duly authorized by the said applicant to make this affidavit.
2. The statements made in paragraphs 1 to 23 of the Petition are true to my knowledge and belief based on the information received and I believe them to be true.
3. I say that there are no proceedings pending in any court of law/tribunal or arbitrator or any other authority, wherein the petitioners are a party and where issues arising and /or reliefs sought are identical or similar to the issues arising in the matter pending before the Hon'ble Commission.



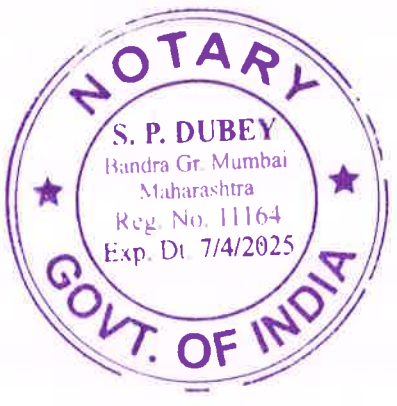


I solemnly affirm at Mumbai on this 21st day of June, 2021, that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed there from.

Petitioner

Identified before me

Gigaplex Estate Private Limited
(Signature)



BEFORE ME

(Signature)

S. P. DUBEY
B.A.,L.L.B.
NOTARY GR. MUMBAI
MAHARASHTRA
(GOVT. OF INDIA)

21 JUN 2021

S. P. DUBEY (Notary Govt. of India)

Notarial Register

Sr. No 2047 | 21 JUN 2021

4

**BEFORE THE
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION, MUMBAI**

Filing No.

Case No.

(To be filled by the Office)

IN THE MATTER OF

Petition of M/s. Gigaplex Estate Private Limited (GEPL) for obtaining the Hon'ble Commission's approval for the amendment of MERC (Specific Conditions of Distribution Licence applicable to M/s Gigaplex Estate Pvt. Ltd., for IT & ITES SEZ at Airoli Knowledge Park, TTC Industrial Area, Dist. Thane) Regulations, 2015, as amended from time to time, due to partial notification in area and partial de-notification in area specified in SEZ Notification No. S.O. 2143 (E) dated June 1, 2021, leading to change in the licence area of GEPL.

AND

IN THE MATTER OF

Gigaplex Estate Private Limited
Plot No. C-30, Block 'G',
Opp. SIDBI, Bandra Kurla Complex,
Bandra (E), Mumbai - 400 051

... The Petitioner

Most Respectfully Showeth:



Background

- 1) The Petitioner, M/s Gigaplex Estate Private Limited (hereinafter referred to as 'GEPL' or 'the Petitioner') is a Company incorporated under the provisions of the Companies Act, 1956, having its registered office at Plot No. IT-5, Airoli Knowledge Park, TTC Industrial Area, Villages Airoli and Dighe, Thane, Maharashtra, India.
- 2) The Petitioner, under Section 3 of the Special Economic Zones (SEZ) Act, 2005 (28 of 2005), is setting up a sector specific Special Economic Zone (SEZ) for Information Technology and Information Technology Enabled Services (IT & ITES SEZ) at Plot No. IT-5, Airoli Knowledge Park, TTC Industrial Area, Villages Airoli and Dighe, Thane, in the State of Maharashtra. The Ministry of Commerce & Industry (Department of Commerce), Government of India, SEZ Section, on being satisfied that the requirements under sub-section (8) of Section 3 of the SEZ Act, 2005, and other related requirements have been fulfilled, granted the Letter of Approval (LoA) in the name of M/s. Gigaplex Estate Private Limited under sub-section (10) of Section 3 of the SEZ Act, 2005 for development, operation and maintenance of the IT&ITES SEZ Plot No. IT-5, Airoli Knowledge Park, TTC Industrial Area, Villages Airoli and Dighe, Thane, in the State of Maharashtra.
- 3) GEPL has been notified as the Developer of the SEZ by the Ministry of Commerce & Industry (Department of Commerce) vide Notification No. S.O. 1695 (E) dated June 11, 2013, and is developing the said IT&ITES SEZ.
- 4) The Hon'ble Commission, after following the due regulatory process, issued the Order dated October 26, 2015 in Case No. 198 of 2014 and took on record the Petitioner's status as a deemed Distribution Licensee. Subsequently, the Hon'ble Commission, vide its Notification dated December 23, 2015, notified the MERC (Specific Conditions of Distribution Licence applicable to M/s



Gigaplex Estate Pvt. Ltd., for IT & ITES SEZ at Airoli Knowledge Park, TTC Industrial Area, Dist. Thane) Regulations, 2015.

- 5) Subsequently, the Hon'ble Commission, vide its Notifications dated February 1, 2017, and September 20, 2018 notified the first and second amendments, respectively, to the Specific Conditions of Distribution Licence applicable to GEPL, thereby notifying the increase in licence area of GEPL.

Third Amendment to the Specific Conditions of Distribution Licence (Small increase in specified area of SEZ and partial de-notification of specified area of SEZ)

- 6) The Specific Conditions of Distribution Licence, read with the first and second amendments, is issued in the name of GEPL to supply electricity to whole of the area of 16.52 hectares at Plot No.IT-5, Airoli Knowledge Park, TTC Industrial Area, Airoli Dist. Thane. The chronology of modification in the notified SEZ area is shown in the Table below:

Sl.	SEZ Notification Number	Notification Date	Notified Area in Hectares	Total Area in Hectares
1	S.O. 1695 (E)	11.06.2013	11.74	11.74
2	S.O. 595 (E)	18.02.2015	1.17	12.91
3	S.O. 3535 (E)	30.10.2017	3.61	16.52

- 7) Owing to certain business exigencies, GEPL modified its plans for development of the IT & ITeS SEZ, and proposed to exclude 8.57 hectares from the existing notified SEZ area and include 0.09 hectares to the notified SEZ area, resulting in total notified SEZ area of 8.04 hectares.
- 8) The Government of Maharashtra, vide Letter No. SEZ-2009/CR-247/Ind-2 dated 13 January, 2021, recommended the proposal of GEPL of partial



denotification of 8.57 Ha and increase in area by 0.09 Ha, to the Ministry of Commerce & Industries, Government of India. GEPL had accordingly intimated the Hon'ble Commission regarding this development vide Letter No. GEPL/Power/2020-21/F210/G781 dated March 1, 2021, which is given as **Annexure 1**.

- 9) Accordingly, based on GEPL's request, vide SEZ Notification No. S.O. 2143 (E) dated June 1, 2021, the Ministry of Commerce and Industry (Department of Commerce) has reduced the notified SEZ area from 16.52 ha to 8.04 ha, after adding an area of 0.09 ha and denotifying an area of 8.57 ha from the existing Plot No. IT-5, Airoli Knowledge Park, TTC Industrial Area, Airoli Dist. Thane, as per the details given in the Table below:

Sl.	Name of Village	Survey No.	Area for De-notification (Ha)	Area for Addition (Ha)
1	Airoli	145 (Pt.)	1.356	0.09
2		146 (Pt.)	5.442	-
3		147 (Pt.)	0.656	-
4		148 (Pt.)	0.334	-
5		149 (Pt.)	0.331	-
6		153 (Pt.)	0.249	-
7	Dighe	208 (Pt.)	0.202	-
Total			8.57	0.09
Grand Total of SEZ after de-notification and addition (Ha)			8.04	

- 10) GEPL had accordingly intimated the Hon'ble Commission regarding the Notification by Ministry of Commerce vide Letter No. GEPL/Power/2020-21/F210/G822 dated June 8, 2021, which is given as **Annexure 2**.



- 11) The copy of the Ministry of Commerce Notification No. S.O. 2143 (E) dated June 1, 2021 is given as **Annexure 3**. The map of revised Plot area of SEZ after approval of additional area of 0.09 Ha and de-notification of 8.57 Ha, is given as **Annexure 4**.
- 12) The change in the specified area requires the Specific Conditions of Distribution Licence of GEPL to be amended in accordance with Section 18 of the Electricity Act, 2003, Regulation 6 of MERC (General Conditions of Distribution Licence) Regulations, 2006, and Clause 4.2 of MERC (Specific Conditions of Distribution Licence applicable to M/s Gigaplex Estate Pvt. Ltd., for IT & ITES SEZ at Airoli Knowledge Park, TTC Industrial Area, Dist. Thane) Regulations, 2015.
- 13) As per Section 18 of EA 2003:

"(1) Where in its opinion the public interest so permits, the Appropriate Commission, may, on the application of the licensee or otherwise, make such alterations and amendments in the terms and conditions of his licence as it thinks fit: ..."

- 14) Regulation 6 of MERC (General Conditions of Distribution Licence) Regulations, 2006 specifies as follows:

"6.1 Where a distribution licensee has made an application under sub-section (1) of Section 18 of the Act proposing any alteration or modifications in his licence, the distribution licensee shall publish a notice of such application in not less than two (2) daily English language newspapers and two (2) daily Marathi language newspapers which are widely circulated in the area of supply.

6.2 The notice as aforesaid shall be published within a period of seven (7) days from the date of submission of application for alteration or modifications and shall contain the following particulars: -

...



6.4 Any person having any objection with reference to such alteration or modifications referred to in Regulation 6.3 may submit such objections to the Commission by a written intimation (six copies) addressed to the Secretary within thirty (30) days from the date of publication as aforesaid".

- 15) As per Regulation 4.2 of MERC (Specific Conditions of Distribution Licence applicable to M/s Gigaplex Estate Pvt. Ltd., for IT & ITES SEZ at Airoli Knowledge Park, TTC Industrial Area, Dist. Thane) Regulations, 2015:

"4.2 In the event of future SEZ notifications or de-notifications by the Ministry of Commerce and Industry, Government of India, resulting into change in the SEZ area, the Deemed Distribution Licensee, within 15 days of such notifications/de-notifications, shall approach the Commission for seeking amendment of these Specific Conditions with respect to GEPL"

- 16) In pursuance of Section 18 of EA 2003 and Section 6 of MERC (General Conditions of Distribution Licence) Regulations, 2006, the Petitioner will publish a notice of the proposed change in licence area of the Distribution Licensee with required details as stipulated in EA 2003 and MERC (General Conditions of Distribution Licence) Regulations, 2006, in not less than two (2) daily English language newspapers and two (2) daily Marathi language newspapers, which are widely circulated in the area of supply, within a period of seven (7) days from the date of submission of Petition for increase in specified area leading to change in licence area of GEPL.

- 17) In view of the above, the Petitioner humbly prays to the Hon'ble Commission to grant approval to the amendment of MERC (Specific Conditions of Distribution Licence applicable to M/s Gigaplex Estate Pvt. Ltd., for IT & ITES SEZ at Airoli Knowledge Park, TTC Industrial Area, Dist. Thane) Regulations, 2015 due to the change in the specified area of



SEZ vide Notification No. S.O. 2143 (E) dated June 1, 2021, leading to change in the licence area of GEPL, at the earliest.

- 18) The Petitioner respectfully submits that Regulation 4.2 of the Specific Conditions of Distribution Licence applicable to GEPL requires GEPL to approach the Hon'ble Commission for seeking approval for the amendment of the Specific Conditions within 15 days of future SEZ notifications or de-notifications by the Ministry of Commerce and Industry, Government of India, resulting into change in the SEZ area. The revised SEZ Notification is dated 1 June, 2021. There is a small delay of 6 days on the part of GEPL in filing this Petition for amendment of the licence area. GEPL requests the Hon'ble Commission to condone this delay of 6 days in filing this Petition for approval for the amendment of the Specific Conditions.

Continuation of supply to denotified area of supply till alternative supply arrangements are made

- 19) Building No. 9 has been constructed on the portion of the SEZ Plot (the area of 8.57 ha), which has been denotified by the Ministry of Commerce, Government of India. Presently, Building No. 9, which was part of the earlier notified area of the SEZ, is receiving supply from GEPL. Two consumer connections have been released, under HT-II category, for construction power with 400 kVA and 600 kVA Contract Demand, respectively. One consumer application with 200 kVA Contract Demand has been received, while 2 more consumer applications with approximately 200 kVA Contract Demand are expected, as the floors have been allocated to these clients.
- 20) In this regard, Regulation 4.3 of the MERC (Specific Conditions of Distribution Licence applicable to M/s Gigaplex Estate Pvt. Ltd., for IT &



ITES SEZ at Airoli Knowledge Park, TTC Industrial Area, Dist. Thane) Regulations, 2015, specifies as under:

"4.3 In the event of de-notification, the Deemed Distribution Licensee shall continue to supply the consumers within the SEZ area till alternative arrangement of supply is made available to these consumers in the de-notified area."

- 21) In accordance with the above Regulation 4.3, GEPL shall continue to supply electricity within the de-notified area of 8.57 Ha, which includes Building No. 9, post de-notification, till such time alternative supply arrangements are made from the first Distribution Licensee of the area, viz., Maharashtra State Electricity Distribution Company Limited (MSEDCL). GEPL shall also release new connections in case applications are received, till the alternative supply arrangements from MSEDCL are made, so that the consumers in the de-notified area are not adversely affected. All the consumer connections in the de-notified area (existing and new connections released, if any) shall be handed over to MSEDCL along with the necessary documentation, once MSEDCL makes its supply arrangements and is ready to take over electricity supply to these consumers in the de-notified area.
- 22) In view of the above, the Petitioner humbly prays to the Hon'ble Commission to grant approval to the interim arrangement proposed by GEPL for continuation of electricity supply in the de-notified area, till such time alternative supply arrangement from MSEDCL is made.

Prayers

- 23) In view of the above facts and circumstances, the Petitioner prays that the Hon'ble Commission may be pleased to:



- i) Condone the small delay of 6 days in filing this Application for amendment of the Specific Conditions of Distribution Licence of GEPL;
- ii) Approve the amendment of MERC (Specific Conditions of Distribution Licence applicable to M/s Gigaplex Estate Pvt. Ltd., for IT & ITES SEZ at Airoli Knowledge Park, TTC Industrial Area, Dist. Thane) Regulations, 2015 due to change in specified area of SEZ vide Notification No. S.O. 2143 (E) dated June 1, 2021 leading to change in licence area of GEPL, at the earliest;
- iii) Approve the interim arrangement proposed by GEPL for continuation of electricity supply and release of new connections in the de-notified area, till such time alternative supply arrangement from MSEDCL is made.

Place: Mumbai

Date: 21/06/2021

Petitioner



Gigaplex Estate Private Limited

Gigaplex Estate Private Limited



GEPL/Power/2020-21/F210/G781

To,
The Secretary,
Maharashtra Electricity Regulatory Commission,
World Trade Centre, Centre No.1,
13th Floor, Cuffe Parade,
Colaba, Mumbai-400005

Subject - Intimation to the Hon'ble Commission for Partial notification and de-notification of Gigaplex Estate Private Limited (GEPL) SEZ and interim power supply arrangement for Building no. 9.

Sir,

Gigaplex Estate Private Limited (GEPL) humbly submits that, owing to business exigencies it has modified its plans for development of IT/ITES on Plot IT-5, Airoli Knowledge Park, MIDC-TTC, Villages of Airoli & Digha, Dist. Thane. It proposes to exclude 8.57 hectares from existing notified SEZ admeasuring 16.52 hectares and include 0.09 hectares in the residual portion of SEZ, thereby revising the projected SEZ area to 8.04 hectares. In this context, it has received the due recommendation from Industries Department, Government of Maharashtra for partial de-notification and notification of additional area within the said SEZ. The concerned letter is enclosed as **Annexure-1**.

GEPL further submits that building no.9 has been constructed on the portion of the SEZ plot, which has been proposed for de-notification., a revised demarcated map is enclosed as **Annexure-2**. Currently, as a part of SEZ, building no-9 is receives power supply from Gigaplex Estate Private Limited (GEPL) Deemed Distribution Licensee.

Further, we would like to humbly submit that as per clause 4.3 of MERC Regulation 2015 (Specific condition of distribution license applicable to M/s Gigaplex Estate Private Limited, for IT/ITES SEZ), the de-notified from SEZ shall continue to receive power supply from GEPL till the time alternate arrangement is made by the developer. GEPL plans to procure power supply from Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) for meeting the demands of its Non-SEZ area.-

Thus, in compliance with the notified specific condition granted by the commission, we (GEPL-DDL) shall continue to distribute power within the concerned area (8.57 hectares, which includes building 9) post its denotification from the SEZ, until MSEDCL infrastructural arrangement is set-up and made operational along with completion of related documentation.

Kindly note that, based on the Gazette notification for SEZ Area revision, we shall approach commission by way of petition within 15 days for amendment in to the area of power supply for GEPL's distribution license.



Summary of the SEZ Area statement is as follows -

- 1) Total Plot Area = 20.23 Hectares
- 2) Area Notified as IT/ITES SEZ = 16.52 Hectares
- 3) Area proposed for De-Notification from SEZ (exclusion from existing SEZ) = 8.57 Hectares
- 4) Area proposed for Notification of SEZ (inclusion within truncated SEZ area) = 0.09 Hectares
- 5) Revised SEZ Area = 8.04 Hectares

This is for kind consideration & records of Hon'ble Commission please.

Thanking you,

For Gigaplex Estate Private Limited


Authorized Signatory

Enclosed -

Annexure - 1 Recommendation letter from Industries Dept., GoM

Annexure - 2 Revised GEPL SEZ map



Government of Maharashtra

Telephone No : 022-22027031
E-mail : sanjay.degaonkar@nic.in
vinod.mendhe@nic.in

No. SEZ-2009/ CR- 247/ Ind-2
Industries, Energy & Labour Dept.
Mantralaya, Hutatma Rajguru Chowk
Madam Cama Road, Mumbai-400 032.
Date : 13th January 2021,

Revised Letter

To,

The Director,
Department of Commerce (SEZ Section)
Ministry of Commerce & Industries,
Government of India,
Udyog Bhavan, New Delhi.

Sub : Proposal of M/s Gigaplex Estate Private Limited (K. Reheja Corp.) for recommendation of Partial De-notification of area admeasuring 8.57 hectares of SEZ and increase in area admeasuring 0.09 hectares in area of Notified IT/ITES SEZ located at Plot no. IT-5 in MIDC-TTC, Airoli Knowledge Park, village Digha & Airoli, District-Thane

- Ref:
1. Joint Director of Industries (SEZ), for Development Commissioner (Industries), Director of Industries, Government of Maharashtra, Letter No. DI/SEZ/Gigaplex-Thane /2020/C-1 dtd. 23rd October, 2020
 2. Application of M/s Gigaplex Estate Private Limited (K. Reheja Corp.) Dated. 7th September, 2020
 3. Idemnity Bond on Rs. 100/- stamp paper submitted by M/s Gigaplex Estate Private Limited (K. Reheja Corp.) dated 29th June, 2019
 4. Government of India, Ministry of Commerce and Industries Notification dated 30th October, 2017
 5. Government of Maharashtra Letter of even no. dtd. 6th March, 2017
 6. Government of India, Ministry of Commerce and Industries Notification dated 11th June, 2013
 7. Government of India, Ministry of Commerce & Industry, Department of Commerce (SEZ Section) Letter No. F/1/5/2011-SEZ, dtd. 6th January, 2012.
 8. Government of Maharashtra Letter No. SEZ-2010/CR-765/Ind-2. dtd. 8th November, 2011
 9. Government of India, Office of the Development Commissioner, Seepz Special Economic Zone, Ministry of Commerce & Industry, Andheri (East), Mumbai Letter No. SEEPZ / NEWSEZ / B-RBPL /324/ 2010-11/14196 dtd. 14th September, 2011
 11. Government of Maharashtra Letter No. SEZ-2009/CR-247/Ind-2. dtd. 16th December, 2020

Sir,

We are in receipt of a proposal submitted by M/s Gigaplex Estate Private Limited (K. Reheja Corp.), of Partial de-notification of 8.57 Ha. area and increase in existing area by 0.09 Ha. to be added to existing SEZ area which is in continuity to the already notified area of 16.52 Ha. in notified area of Special Economic Zone.

2. The Sector Specific (IT/ITES) SEZ has been notified over an area of 16.52 Ha. vide Ministry of Commerce & Industry, GoI gazette notification dated 30/10/2017.
3. Accordingly after partial denotification of 8.57 Ha, the remaining area is out of 16.52 Ha i.e. 7.95 Ha. is contiguous in nature. Also, the proposed additional area i.e. 0.09 Ha is also contiguous with the remaining area 7.95 Ha.
4. Development Commissioner (Industries), Directorate of Industries, Government of Maharashtra vide letter dated 23/10/2020 stated that, the said SEZ developer has refunded the benefits, that are fetched under various State Acts/Rules, for remaining 7.95 Ha. The proposed area of 0.09 Ha that is to be added, is leased from MIDC & it is in possession of M/s Gigaplex Estate Private Limited, the developer of SEZ. Accordingly, the developer has submitted an Indemnity Bond on 29th June, 2019.
5. Government of Maharashtra will ensure that de-notified parcels of land will be utilized toward creation of infrastructure which would sub-serve the objective of the SEZ as originally envisaged. The State Government also certify that the de-notification parcel of land will conform to land use guidelines/ master plan of the State Government.
6. In view of above, we recommend the proposal of Gigaplex of partial denotification of 8.57 Ha and increase in area by 0.09 Ha, after which total area with developer is 8.04 Ha, for favorable consideration as per SEZ Act/Rules.

You are requested to do the needful.

Thanking you,

Yours faithfully,



(Sanjay Degaonkar)

Joint Secretary to the Govt. of Maharashtra

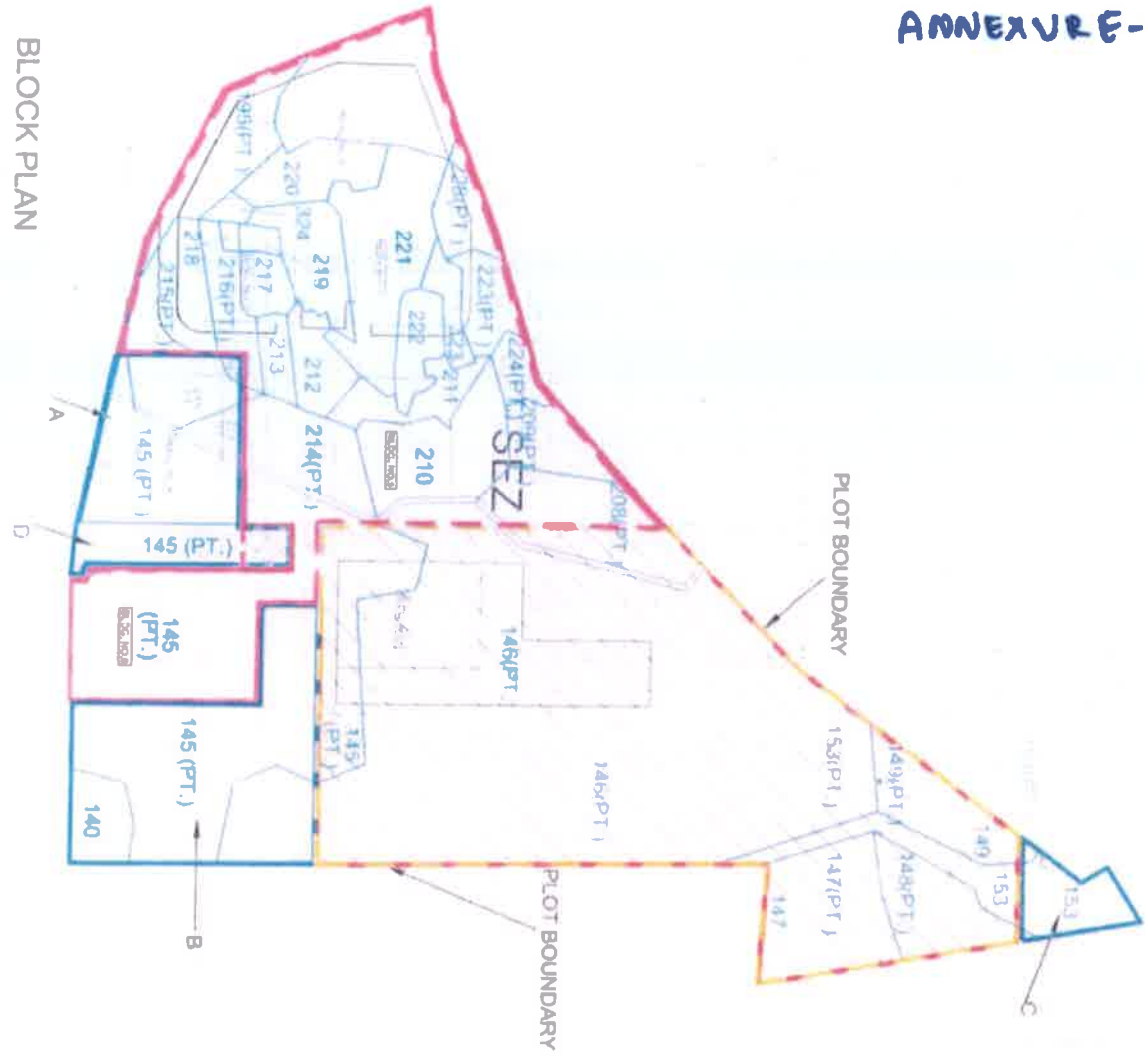
Copy to :-

- 1) Resident Commissioner, Government of Maharashtra, Maharashtra Sadan, New Delhi.
- 2) Joint Development Commissioner, SEEPZ, Special Economic Zone, Ministry of Commerce & Industry, Andheri (E), Mumbai – 400 096.
- 3) Development Commissioner (Industries), Directorate of Industries, Opp. Mantralaya, Mumbai-400 032..
- 4) M/s Gigaplex Estate Private Limited (K. Raheja Corp.), Plot no. C-30, Block G, Opp. SIDBI, Bandra Kurla Complex , Bandra (East), Mumbai-51.
- 5) Select File - (Ind-2)



ANNEXURE-2

BLOCK PLAN



AREA STATEMENT

NO	AREA STATEMENT	SQ MT/8	ACRES	HECTARES
1	AREA OF THE PLOT	202,300.00	50	20.23
2	PRESENT NOTIFIED AREA OF THE SEZ - SHOWN THUS 	1,65,307.12	40.65	16.52
3	PROPOSED AREA FOR PARTIAL DE-NOTIFICATION - SHOWN THUS 	83,701.23	21.16	8.57
4	PROPOSED AREA TO BE ADDED IN SEZ - SHOWN THUS 	957.80	0.23	0.09
5	RESULTANT NOTIFIED SEZ AREA AFTER ADDITION AND REDUCTION (2+3+4) - SHOWN THUS 	80,543.49	19.90	8.04

SEZ PLOT BOUNDARY ON PLOT NO. I.T. 5, AROLI KNOWLEDGE PARK, TTC INDUSTRIAL AREA, VILLAGE AROLI & DIGHE, DIST THANE MAHARASHTRA STATE



NOTES:
 BOUNDARIES SHOWN IN BLOCK PLAN BASED ON LAYOUT PLAN APPROVED BY THE
 AREAS ARE SUBJECT TO THE DEPARTMENTAL NOTIFICATION

Gigaplex Estate Private Limited



June 8, 2021

GEPL/Power/2021-22/F210/G822

To,
The Secretary,
Maharashtra Electricity Regulatory Commission,
World Trade Centre, Centre No.1,
13th Floor, Cuffe Parade,
Colaba, Mumbai-400005

Subject - Intimation to the Hon'ble Commission for Partial notification and partial de-notification of Gigaplex Estate Private Limited (GEPL) SEZ and interim power supply arrangement for Building no. 9.

Reference - 1) Vide letter GEPL/Power/2021-22/F210/G781 dated 1st March 2021
2) Ministry of Commerce and Industry Notification dated 01st June 2021

Sir,

With reference to the letter submitted before the Hon'ble Commission on dated 1st March 2021, Gigaplex Estate Private Limited (GEPL) humbly submits that Government of India, Ministry of Commerce and Industry, vide its notification dated 1st June 2021 (enclosed as Annexure -1) has amended the area of concerned SEZ by excluding 8.57 hectares from existing notified SEZ admeasuring 16.52 hectares and including 0.09 hectares in the residual portion of the said SEZ, thereby revising the SEZ area to 8.04 hectares.

Further, GEPL humbly submits that Building no.9 which is under construction; was located within the erstwhile SEZ area of 16.52 hectares but stands excluded in the revised area of 8.04 hectares post amended notification dated 01/06/2021. Thus, previously building no. 9 being a part of SEZ was within the area of power supply of GEPL as Deemed Distribution Licensee in accordance to SEZ Act 2005 & Electricity Act 2003. The incumbent distribution licensee i.e. Gigaplex Estate Private Limited (GEPL) further submits that as per Clause 4.3 of MERC Regulation 2015 (Specific condition of distribution license applicable to M/s Gigaplex Estate Private Limited, for IT/ITES SEZ)

"4.3 In the event of de-notification, the Deemed Distribution Licensee shall continue to supply the consumers within the SEZ area till alternative arrangement supply is made available to those consumers in the de-notified area." (Emphasis added)

With respect to the compliance of the specific condition granted in the regulation, GEPL shall continue to supply power to the building no. 9 post its de-notification from the SEZ area, till alternate power arrangement has been made from MSEDCL power supply infrastructure along with necessary documentation and approvals for establishing the connection.

Under the above circumstances, GEPL shall approach the commission by the way of petition within 15 working days of the Gazette Notification.

This is for kind consideration & records of Hon'ble Commission please.

Thanking you,

For Gigaplex Estate Private Limited

Authorized Signatory

Enclosed - Annexure - 1: Gazette Notification dated 01st June 2021 of Ministry of Commerce and Industry



CIN : U45202MH1990PTC057919

Regd. Off. : Raheja Tower, Plot No.C-30, Block 'G', Bandra Kurla Complex, Bandra (E), Mumbai - 400 051.
Phone : +91-22-2656 4000 Fax : +91-22-2656 4004 Website : www.krahejacorp.com



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-अ.-03062021-227346
CG-DL-E-03062021-227346

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1986]

नई दिल्ली, बृहस्पतिवार, जून 3, 2021/ज्येष्ठ 13, 1943

No. 1986]

NEW DELHI, THURSDAY, JUNE 3, 2021/JYAISTHA 13, 1943

वाणिज्य एवं उद्योग मंत्रालय

(वाणिज्य विभाग)

अधिसूचना

नई दिल्ली, 1 जून, 2021

का.आ. 2143 (अ).— यतः, मै. गीगाप्लेक्स एस्टेट प्राईवेट लिमिटेड, एक निजी संगठन, ने महाराष्ट्र राज्य के प्लॉट सं. आईटी-5 एमआईडीसी नोलेज पार्क, ग्राम एरोली एवं दिघे, जिला थाने में सूचना प्रौद्योगिकी एवं सूचना प्रौद्योगिकी समर्थित सेवाओं के लिए एक क्षेत्र विशिष्ट विशेष आर्थिक जोन की स्थापना हेतु विशेष आर्थिक जोन अधिनियम, 2005 (2005 का 28) (जिसे एतदपश्चात् उक्त अधिनियम कहा गया है) की धारा 3 के अंतर्गत प्रस्ताव किया था;

और यतः, केन्द्र सरकार ने विशेष आर्थिक जोन नियम 2006 के नियम 8 के साथ पठित उक्त अधिनियम की धारा 4 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित क्षेत्रों को विशेष आर्थिक जोन के रूप में अधिसूचित किया था, जिनका विवरण इस प्रकार है;

क्रम सं.	अधिसूचना संख्या	अधिसूचना दिनांक	अधिसूचित क्षेत्र हेक्टेयर में	कुल योग हेक्टेयर में
(i)	का.आ. 1695(अ)	11.06.2013	11.74	11.74
(ii)	का.आ. 595(अ)	18.02.2015	1.170	12.91
(iii)	का.आ. 3535(अ)	30.10.2017	3.61	16.52



और यतः, मै. गीगाप्लेक्स एस्टेट प्राईवेट लिमिटेड ने अब उपरोक्त विशेष आर्थिक जोन में 8.57 हेक्टेयर के क्षेत्र को अनधिसूचित तथा उपरोक्त विशेष आर्थिक जोन में 0.09 हेक्टेयर के अतिरिक्त क्षेत्र को अधिसूचित करने का प्रस्ताव किया है;

और यतः, महाराष्ट्र सरकार ने उनके पत्र सं. एसईजेड-2009/सीआर-247/इन्ड-2 दिनांक 13 जनवरी, 2021 के तहत प्रस्ताव को सहमति दे दी है;

और यतः, विकास आयुक्त, सीपज, एसईजेड ने विशेष आर्थिक जोन के 8.57 हेक्टेयर के क्षेत्र को अनधिसूचित तथा उपरोक्त विशेष आर्थिक जोन में 0.09 हेक्टेयर को अधिसूचित करने के प्रस्ताव की संस्तुति की है;

और यतः, केन्द्र सरकार इस बात से संतुष्ट है कि अधिनियम की धारा 3 की उप-धारा (8) के अंतर्गत अपेक्षाओं तथा अन्य सम्बंधित अपेक्षाओं को पूरा कर लिया गया है, अतः केन्द्र सरकार ने प्रस्ताव को दिनांक 30 मई, 2021 को स्वीकृति प्रदान की थी;

अतः अब, विशेष आर्थिक जोन अधिनियम, 2005 की धारा 4 की उप-धारा (1) के दूमरे परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और विशेष आर्थिक जोन अधिनियम, 2006 के नियम 8 के अनुसरण में केन्द्र सरकार एतद्वारा 8.57 हेक्टेयर के क्षेत्र को अनधिसूचित तथा 0.09 हेक्टेयर के क्षेत्र को अधिसूचित करती है, जिसके परिमाणतः कुल क्षेत्रफल 8.04 हेक्टेयर हो जाएगा, जिसमें निम्नलिखित तालिका में उल्लेखित सर्वेक्षण संख्याएँ और क्षेत्र शामिल हैं, अर्थात्:-

अनधिसूचित तथा अतिरिक्त अधिसूचित क्षेत्र हेतु तालिका

क्रम. सं.	गाँव का नाम	सर्वेक्षण संख्या	अनधिसूचित क्षेत्र (हेक्टेयर में)	अतिरिक्त अधिसूचित क्षेत्र (हेक्टेयर में)
1.	एरोली	145 (भाग)	1.356	0.09
2.		146 (भाग)	5.442	-
3.		147 (भाग)	0.656	-
4.		148 (भाग)	0.334	-
5.		149 (भाग)	0.331	-
6.		153 (भाग)	0.249	-
7.	दिघे	208 (भाग)	0.202	-
कुल			8.57	0.09
उपयुक्त घटाव एवं जोड़ के पश्चात् एसईजेड का कुल क्षेत्रफल			8.04	

[फा. सं. एफ.1/5/2011-एसईजेड]

अमिताभ कुमार, संयुक्त सचिव

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

NOTIFICATION

New Delhi, the 1st June, 2021

S.O. 2143 (E).—Whereas, M/s. Gigaplex Estate Private Limited, a private organization, had proposed under Section 3 of the Special Economic Zones Act, 2005 (28 of 2005), (hereinafter referred to as the said Act), to set up a sector specific Special Economic Zone for Information Technology and Information Technology Enabled Services at Plot No.IT-5, Airoli Knowledge Park-TTC Industrial Area, Villages Airoli and Dighe, District Thane in the State of Maharashtra;

AND, WHEREAS, the Central Government, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act read with rule 8 of the Special Economic Zones Rules 2006, had notified the following areas at above Special Economic Zone as per the details given below: -



S. No.	Notification No.	Notification Date	Notified Area in Hectares	Total Area in Hectares
(i)	S.O. 1695 (E)	11.06.2013	11.74	11.74
(ii)	S.O. 595 (E)	18.02.2015	1.170	12.91
(iii)	S.O. 3535 (E)	30.10.2017	3.61	16.52

AND WHEREAS, M/s. Gigaplex Estate Private Limited, has now proposed for de-notification of 8.57 hectare and additional area notification of 0.09 hectare at the above Special Economic Zone;

AND, WHEREAS, the State Government of Maharashtra has given its approval to the proposal vide letter No. SEZ-2009/CR-247/Ind-2 dated 13th January, 2021;

AND, WHEREAS, the Development Commissioner, SEEPZ, SEZ has recommended the proposal for de-notification of an area of 8.57 hectare and addition of an area of 0.09 hectare at the Special Economic Zone;

AND, WHEREAS, the Central Government is satisfied that the requirements under sub-section (8) of section 3 of the said Act and other related requirements are fulfilled and therefore, has granted approval on 30th May, 2021;

NOW, THEREFORE, in exercise of the powers conferred by second proviso to sub-section (1) of section 4 of the Special Economic Zones Act, 2005 and in pursuance of rule 8 of the Special Economic Zones Rules, 2006, the Central Government hereby de-notifies an area of 8.57 hectare and notifies an area of 0.09 hectare, thereby making the resultant area as 8.04 hectare, comprising the Survey numbers and the areas given below in the table, namely: -

TABLE FOR DE-NOTIFICATION AND ADDITION AREA

S. No.	Name of Village	Survey No.	Area for De-notification (in hectares)	Area for Addition (in hectares)
8.	Airoli	145 (Pt.)	1.356	0.09
9.		146 (Pt.)	5.442	-
10.		147 (Pt.)	0.656	-
11.		148 (Pt.)	0.334	-
12.		149 (Pt.)	0.331	-
13.		153 (Pt.)	0.249	-
14.		Dighe	208 (Pt.)	0.202
Total			8.57	0.09
Grant total area of SEZ after above de-notification and addition			8.04	

[F. No. F.1/5/2011-SEZ]
AMITABH KUMAR, Jt. Secy





भारत का राजपत्र The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
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वाणिज्य एवं उद्योग मंत्रालय
(वाणिज्य विभाग)

अधिसूचना

नई दिल्ली, 1 जून, 2021

का.आ. 2143 (अ).— यतः, मै. गीगाप्लेक्स एस्टेट प्राईवेट लिमिटेड, एक निजी संगठन, ने महाराष्ट्र राज्य के प्लॉट सं. आईटी-5 एमआईडीसी नोलेज पार्क, ग्राम एरोली एवं दिघे, जिला थाने में सूचना प्रौद्योगिकी एवं सूचना प्रौद्योगिकी समर्थित सेवाओं के लिए एक क्षेत्र विशिष्ट विशेष आर्थिक जोन की स्थापना हेतु विशेष आर्थिक जोन अधिनियम, 2005 (2005 का 28) (जिसे एतद्पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 के अंतर्गत प्रस्ताव किया था;

और यतः, केन्द्र सरकार ने विशेष आर्थिक जोन नियम 2006 के नियम 8 के साथ पठित उक्त अधिनियम की धारा 4 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित क्षेत्रों को विशेष आर्थिक जोन के रूप में अधिसूचित किया था, जिनका विवरण इस प्रकार है;

क्रम सं.	अधिसूचना संख्या	अधिसूचना दिनांक	अधिसूचित क्षेत्र हेक्टेयर में	कुल योग हेक्टेयर में
(i)	का.आ. 1695(अ)	11.06.2013	11.74	11.74
(ii)	का.आ. 595(अ)	18.02.2015	1.170	12.91
(iii)	का.आ. 3535(अ)	30.10.2017	3.61	16.52



और यतः, मै. गीगाप्लेक्स एस्टेट प्राईवेट लिमिटेड ने अब उपरोक्त विशेष आर्थिक जोन से 8.57 हेक्टेयर के क्षेत्र को अनधिसूचित तथा उपरोक्त विशेष आर्थिक जोन में 0.09 हेक्टेयर के अतिरिक्त क्षेत्र को अधिसूचित करने का प्रस्ताव किया है;

और यतः, महाराष्ट्र सरकार ने उनके पत्र सं. एसईजेड-2009/सीआर-247/इन्ड-2 दिनांक 13 जनवरी, 2021 के तहत प्रस्ताव को सहमति दे दी है;

और यतः, विकास आयुक्त, सीपज, एसईजेड ने विशेष आर्थिक जोन के 8.57 हेक्टेयर के क्षेत्र को अनधिसूचित तथा उपरोक्त विशेष आर्थिक जोन में 0.09 हेक्टेयर को अधिसूचित करने के प्रस्ताव की संस्तुति की है;

और यतः, केन्द्र सरकार इस बात से संतुष्ट है कि अधिनियम की धारा 3 की उप-धारा (8) के अंतर्गत अपेक्षाओं तथा अन्य सम्बंधित अपेक्षाओं को पूरा कर लिया गया है, अतः केन्द्र सरकार ने प्रस्ताव को दिनांक 30 मई, 2021 को स्वीकृती प्रदान की थी;

अतः अब, विशेष आर्थिक जोन अधिनियम, 2005 की धारा 4 की उप-धारा (1) के दूसरे परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और विशेष आर्थिक जोन अधिनियम, 2006 के नियम 8 के अनुसरण में केन्द्र सरकार एतद्वारा 8.57 हेक्टेयर के क्षेत्र को अनधिसूचित तथा 0.09 हेक्टेयर के क्षेत्र को अधिसूचित करती है, जिसके परिमाणतः कुल क्षेत्रफल 8.04 हेक्टेयर हो जाएगा, जिसमें निम्नलिखित तालिका में उल्लेखित सर्वेक्षण संख्याएँ और क्षेत्र शामिल हैं, अर्थात्:-

अनधिसूचित तथा अतिरिक्त अधिसूचित क्षेत्र हेतु तालिका

क्रम. सं.	गाँव का नाम	सर्वेक्षण संख्या	अनधिसूचित क्षेत्र (हेक्टेयर में)	अतिरिक्त अधिसूचित क्षेत्र (हेक्टेयर में)
1.	एरोली	145 (भाग)	1.356	0.09
2.		146 (भाग)	5.442	-
3.		147 (भाग)	0.656	-
4.		148 (भाग)	0.334	-
5.		149 (भाग)	0.331	-
6.		153 (भाग)	0.249	-
7.	दिघे	208 (भाग)	0.202	-
कुल			8.57	0.09
उपयुक्त घटाव एवं जोड़ के पश्चात् एसईजेड का कुल क्षेत्रफल			8.04	

[फा. सं. एफ.1/5/2011-एसईजेड]

अमिताभ कुमार, संयुक्त सचिव

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

NOTIFICATION

New Delhi, the 1st June, 2021

S.O. 2143 (E).—Whereas, M/s. Gigaplex Estate Private Limited, a private organization, had proposed under Section 3 of the Special Economic Zones Act, 2005 (28 of 2005), (hereinafter referred to as the said Act), to set up a sector specific Special Economic Zone for Information Technology and Information Technology Enabled Services at Plot No.IT-5, Airoli Knowledge Park-TTC Industrial Area, Villages Airoli and Dighe, District Thane in the State of Maharashtra;

AND, WHEREAS, the Central Government, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act read with rule 8 of the Special Economic Zones Rules 2006, had notified the following areas at above Special Economic Zone as per the details given below: -



S. No.	Notification No.	Notification Date	Notified Area in Hectares	Total Area in Hectares
(i)	S.O. 1695 (E)	11.06.2013	11.74	11.74
(ii)	S.O. 595 (E)	18.02.2015	1.170	12.91
(iii)	S.O. 3535 (E)	30.10.2017	3.61	16.52

AND WHEREAS, M/s. Gigaplex Estate Private Limited, has now proposed for de-notification of 8.57 hectare and additional area notification of 0.09 hectare at the above Special Economic Zone;

AND, WHEREAS, the State Government of Maharashtra has given its approval to the proposal vide letter No. SEZ-2009/ CR-247/ Ind-2 dated 13th January, 2021;

AND, WHEREAS, the Development Commissioner, SEEPZ, SEZ has recommended the proposal for de-notification of an area of 8.57 hectare and addition of an area of 0.09 hectare at the Special Economic Zone;

AND, WHEREAS, the Central Government is satisfied that the requirements under sub-section (8) of section 3 of the said Act and other related requirements are fulfilled and therefore, has granted approval on 30th May, 2021;

NOW, THEREFORE, in exercise of the powers conferred by second proviso to sub-section (1) of section 4 of the Special Economic Zones Act, 2005 and in pursuance of rule 8 of the Special Economic Zones Rules, 2006, the Central Government hereby de-notifies an area of 8.57 hectare and notifies an area of 0.09 hectare, thereby making the resultant area as 8.04 hectare, comprising the Survey numbers and the areas given below in the table, namely: -

TABLE FOR DE-NOTIFICATION AND ADDITION AREA

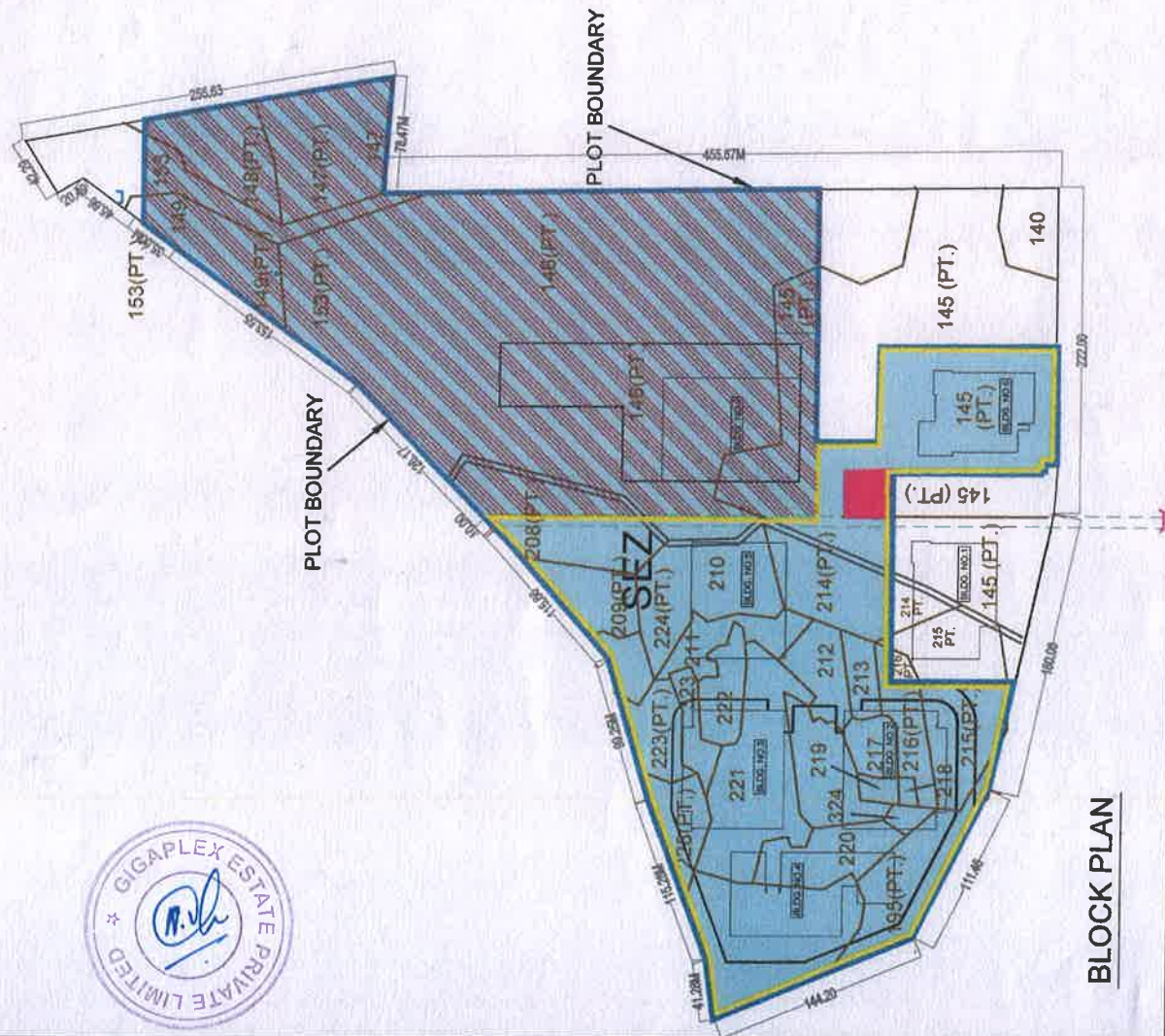
S. No.	Name of Village	Survey No.	Area for De-notification (in hectares)	Area for Addition (in hectares)
8.	Airoli	145 (Pt.)	1.356	0.09
9.		146 (Pt.)	5.442	-
10.		147 (Pt.)	0.656	-
11.		148 (Pt.)	0.334	-
12.		149 (Pt.)	0.331	-
13.		153 (Pt.)	0.249	-
14.	Dighe	208 (Pt.)	0.202	-
Total			8.57	0.09
Grant total area of SEZ after above de-notification and addition			8.04	

[F. No. F.1/5/2011-SEZ]

AMITABH KUMAR, Jt. Secy



AREA STATEMENT	ACRES	HECTARES
1 AREA OF THE PLOT (Leased to Gigaplex by MIDC)	50	20.23
2 PRESENT NOTIFIED AREA OF THE SEZ	40.85	16.52
3 PROPOSED AREA TO BE ADDED IN SEZ. SHOWN THUS	0.23	0.09
4 PROPOSED AREA FOR PARTIAL DE-NOTIFICATION - SHOWN THUS	21.18	8.57
5 RESULTANT SEZ AREA AFTER ADDITION of 0.09 Ha. AND DEDUCTION OF 8.57 Ha. SHOWN THUS	19.90	8.04



Area Manager
MIDC, Mahape



PRAVINA SURVE
B. ARCH.
CA/87/10700

NOTES:

- * BOUNDARIES SHOWN IN BLOCK PLAN BASED ON LAYOUT PLAN APPROVED BY MIDC.
- * AREAS ARE SUBJECT TO SURVEY & DEMARCATION ON SITE.



S.E.Z. PLOT BOUNDARY ON PLOT NO.I.T. 5 , AIROLI KNOWLEDGE PARK , TTC INDUSTRIAL AREA, VILLAGE AIROLI & DIGHE , DIST. THANE MAHARASHTRA STATE .

BLOCK PLAN