

Notification

Gujarat Special Economic Zone Development Authority Gandhinagar.

Dated 2-4-2007.

**Gujarat
Special
Economic
Zone Act,
2004.**

No: GUJ/SEZDA/ REG/2007/ In exercise of the powers conferred by section 26 of the Gujarat Special Economic Zone Act, 2004 (Guj. 11 of 2004), the Gujarat Special Economic Zone Development Authority, with the previous approval of the State Government, hereby makes the following regulations, namely: -

1. **Short title:** -These regulations may be called the Gujarat Special Economic Zone Regulations, 2007.
2. **Definitions:** - In these regulations unless the context otherwise requires, -
 - (a) "Act" means the Gujarat Special Economic Zone Act, 2004,(Guj 11 of 2004);
 - (b) "Authority" means the Gujarat Special Economic Zone Development Authority, constituted under section 4 of the Act;
 - (c) "GDCR" means General Development Control Regulations for SEZ, 2007, as amended from time to time;
 - (d) "Member-Secretary" means the Member-Secretary of the Authority appointed under section 7 of the Act;
 - (e) "rules" means the Gujarat Special Economic Zone Rules, 2005;
 - (f) "section" means section of the Act;
 - (g) words and expressions used and not defined in these regulations shall have the meanings assigned to them in the Act.
3. **Procedures Regarding Meetings of Authority:** -
 - (1) Whenever a meeting of the Authority is required to be convened, the Member-Secretary shall submit a request to the Chairperson of the Authority with or without agenda items for discussion. The Chairperson may give suitable date and time and decide the place for holding the meeting. In case so required, the Chairperson may direct the Member-Secretary to convene the meeting.

- (2) The Member-Secretary shall issue notice to the members indicating the venue, date and time of the meeting. He shall also forward the agenda items for discussion, preferably along with the notice. Normally, six days time shall be given to the members while convening any meeting of the Authority.
- (3) The decisions taken by the Authority shall be recorded by the Member-Secretary and the minutes to the effect shall be prepared and approval shall be obtained from the Chairman. Thereafter the minutes shall be circulated to all the members.
- (4) If no comments are received from members on minutes of the meeting so circulated within one-week time, the decisions of the Authority shall be treated as approved by the members and decisions may be implemented by the Member-Secretary.

4. Conditions of Services of the Member-Secretary, Officers and Employees of the Authority: -

The terms and conditions of the services of the Member- Secretary, Officers and Employees of the Authority shall be as applicable to the Government employees and officers in equivalent cadre.

5. Procedures for Carrying out Functions of Unit Approval Committee: -

(1) The Unit Approval Committee shall adopt the following procedure: -

- (a) The Office of the Development Commissioner shall get applications in the prescribed format from the units, which have been granted approval, process the applications and obtain comments from the concerned offices / officers within the zone.
- (b) The Office of the Development Commissioner shall prepare the agenda items for unit-wise applications and call Unit Approval Committee meeting for consideration.
- (c) The Unit Approval Committee shall consider the agenda items and grant approval for all the clearances at one time for applications which meet the requirements and / or consider again for remaining approvals.
- (d) The Unit Approval Committee may defer or reject the application of the unit, if the conditions are not fulfilled by the unit.

(2) The Unit Approval Committee shall adopt the following procedure to resolve disputes of commercial nature between the agencies providing services and consumers: -

- (a) A complaint received from the consumer shall be examined by the Development Commissioner.

- (b) Comments shall be invited from the service provider.
 - (c) The agenda shall be prepared and placed in the meeting of Unit Approval Committee for decision.
 - (d) The Development Commissioner shall communicate the decision of the Unit Approval Committee to consumer and the Developer or Co-developer.
- (3) The Unit Approval Committee shall adopt the following procedure to resolve any dispute between the units and the Developer regarding infrastructure facilities, amenities and services: -**
- (a) A complaint received from the units and the Development Commissioner shall examine the Developer or Co-developer.
 - (b) Comments shall be invited from the units and the Developer or Co-developer.
 - (c) The agenda shall be prepared and placed in the meeting of Unit Approval Committee for decision.
 - (d) The Development Commissioner shall communicate the decision of the Unit Approval Committee to consumer and the Developer or Co-developer.

6. Procedure for carrying out functions of Development Committee: -

(1) Plan for the development of the Zone: -

- (a) The Development Committee shall study the plan submitted by the developer for approval. It shall examine the land usage plan prepared in conformity with the guidelines laid down by the Authority. It shall also examine the proposal in reference to the activities approved by the Government of India. It may suggest modifications, alterations, if required and consider the plan for approval.
- (b) In the matter of technical nature, the Development Committee shall obtain appropriate technical opinion before giving approval.
- (c) The Development Committee shall periodically review the development of the zone to ensure that it is in conformity with the guidelines prepared by the Authority and the development work is carried out in accordance with the approved plan.

(2) Providing infrastructure facilities and amenities: -

- (a) The Development Committee shall ensure that the developer has submitted infrastructure plan covering all the infrastructure facilities and amenities stipulated in sub-section (3) of section 13 of the Act. The Development Committee shall further ensure that the developer has submitted infrastructure development proposal incorporating all the social

infrastructure facilities and services, covered under sub-section (4) of section 13 of the Act.

Explanation: - The infrastructure facilities and amenities provided and approved by the Development Committee will be governed by the provisions of the relevant Acts wherever applicable.

- (b) The Development Committee shall also look into schedule for completion of infrastructure and amenities projects and ensure completion as per schedule or Action Plan.
- (c) The Development Committee shall grant approval of the items of work, which may be required for the development of Special Economic Zone.
- (d) The Authority can lay down further guidelines as may be necessary for certain specific amenities and facilities and Development Committee shall follow the same.

(3) Procedure for Allocation / Transfer of plots: -

- (a) The Development Committee shall consider all applications received and placed by the Developer before the Committee and confirm with the checklist prepared by the Developer.
- (b) The Development Committee shall consider the applications in processing area for which approval is granted by the Unit Approval Committee.
- (c) The Development Committee shall take decisions for allocation of plots by way of lease or otherwise and convey the decision to the Developer.
- (d) The Development Committee shall adopt procedure laid down in clauses (a) and (b) above in case of transfer.

(4) Erection of boundary mark: -

- (a) The Development Committee may look into the development plan submitted by the Developer in accordance with the regulation 6(1) and decide for defining the limits.
- (b) In case of any alteration, the Developer shall submit the revised plan along with copy of the approval from Authority to the Development Committee. After studying the revised plan, the Development Committee shall decide about the erection of substantial boundary marks defining the limits of the zone and convey its decision to the Developer.

(5) Ensuring access to the units and residents for basic and essential infrastructure facilities: -

- (a) The Development Committee while granting approval for infrastructure facilities and amenities as per procedure laid down under regulation 6 (2)

above, ensure that there is access for infrastructure facilities and amenities to all the plots earmarked in the development plan.

- (b) In case of any hindrance or bottleneck in providing access to units or residents, the Development Committee shall direct the Developer / Co-developer to modify the development plan.

(6) Reclamation of unhealthy localities: -

The Development Committee shall -

- (a) identify unhealthy localities and ascertain the causes for the same,
- (b) give notice to the persons concerned and direct them to take adequate and appropriate action for reclaiming the locality,
- (c) list out the buildings that appear dangerous or in a dilapidated condition needing urgent repairs,
- (d) get the buildings so listed, inspected by technical persons to suggest what type of repairs are required to make the buildings safe or whether the building needs to be demolished,
- (e) direct the owner and occupier of the building to get the building repaired or demolished if found irreparable, in a stipulated time, and
- (f) take appropriate actions and recover the cost from the defaulters, if the directions given in clauses (b) and (e) above are not complied.

(7) Removing obstructions and projections on public streets and other public places: -

- (a) The Development Committee shall identify the obstructions and unauthorized projection on the public streets or places.
- (b) The Development Committee shall issue a notice to the persons responsible for the obstructions or unauthorized projections for removing the same in a stipulated time.
- (c) In case of non-compliance of the instructions, the Development Committee shall remove the obstructions and unauthorized projections and recover the cost from the defaulters.

(8) Registration of births and deaths: -

- (a) The Development Committee shall make an arrangement for registration of all births and deaths in the proforma as prescribed by the Government.
- (b) The Development Committee shall take the following actions;

- (i) notify the place and timing for registration of births and deaths;
- (ii) verify periodically to ensure regular notifications of births and deaths by households, hospitals, nursing homes, maternity homes, crematoria, etc;
- (iii) arrange to issue birth and death certificate by charging the fees prescribed by the Government.

(9) Vaccinations: -

The Development Committee shall ensure conducting public vaccinations and prevention and checking of the spread of dangerous diseases as per directions of the Government.

(10) Registration of marriages: -

- (a) The Development Committee shall arrange for registration of marriages in the manner as determined by the Government.
- (b) The Development Committee shall take the following actions;
 - (i) notify the place and timing for registration of marriages;
 - (ii) verify periodically the regular registration of marriages;
 - (iii) arrange to issue marriage certificate by charging the fees prescribed by the Government.

(11) Naming or numbering of street and of public places: -

The Development Committee shall cause to name or number the streets and public places, after preparing the detailed layout.

(12) Determining charges for infrastructure facilities and amenities: -

- (a) The Development Committee shall determine the user charges or fees for providing infrastructure facilities, amenities and services provided by the developer.
- (b) The Developer shall prepare a list of the infrastructure facilities and services to be provided by levying user charges or fees and submit a proposal thereof to the Development Committee.
- (c) The Development Committee shall lay down principles and the manner for determining the fees and charges leviable and accordingly decide on the proposal and notify the same.

(13) Monitoring town planning standards: -

- (a) The Development Committee shall get periodical reports on the progress of allocation of land, construction of building and development of infrastructure facilities.

- (b) The Development Committee shall review the progress of the infrastructure facilities and compare with the standards laid down under GDCR and guidelines published by the Authority.
- (c) The Development Committee shall suggest modifications, if necessary, to the Developer or Co-developer.

7. Levy of user charges and Fees: -

- (1) The Developer shall levy user charges or fees as may be approved by the Development Committee under sub-regulation (12) of regulation 6 for providing infrastructure facilities and amenities and services.
- (2) The procedure for the levy of user charges or fees by the Developer or Co-developer shall be as under:-
 - (a) The Developer or Co-developer shall prepare the bill for the services used.
 - (b) The Developer or Co-developer shall arrange for distribution of bills and recover the charges and give receipts.
 - (c) The Developer or Co-developer shall take such measures as laid down by the Development Committee in the case of failure to pay fees and user charges as laid down by the Development Committee.
 - (d) An aggrieved person may appeal to the Development Committee against claim of the Developer or Co-developer or any measures as may be taken, within three months of the date of such claim or measures taken, provided that the Development Committee shall decide on the appeal, after giving a reasonable opportunity of being heard, to both the parties.

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