

**B-17/2/2018-SEZ-Part(1)**  
Ministry of Commerce & Industry  
Department of Commerce SEZ Division

Udyog Bhavan, New Delhi  
Dated: 11<sup>th</sup> June-2019

To,

All Development Commissioners  
Special Economic Zones

**Subject : Provision of facilities/amenities by  
units under Rule 11(5) of the SEZ Rules - reg.**

Sir,

I am directed to refer to the representations received regarding the creation of facilities/amenities by the units under Rule 11(5) of the SEZ Rules and to state that the BOA, in its 84<sup>th</sup> meeting held on 05.10.2018, had allowed the UAC to decide for setting up a cafeteria subject to necessary statutory NOCs such as fire, health, etc. by the unit.

2. Further, the Department has also received requests for granting permission to set up cafeteria, crèche, gymnasium and similar facilities in the premises of the unit for the exclusive use of such units.
3. The issue was examined in this Department and with the approval of competent authority, it is conveyed that the same could be allowed subject to the following conditions.
  - a. The facilities as envisaged under the proviso to Rule 11(5) of the SEZ Rules could also be created by a unit for its exclusive use subject to obtaining a NOC from the Developer as well as necessary NOCs/ clearances / approvals from the relevant statutory authorities.
  - b. The units shall not be eligible for any exemptions, drawback, concessions or any other benefit available under Section 7 or Section 26 of the SEZ Act, for creating or operating such facilities.
4. DCs/UACs are directed to consider such requests of the units where units intend to create such facilities for their exclusive use subject to conditions stipulated above.
5. This issues with the approval of competent authority.

Yours Faithfully

(Senthil Nathan S)  
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