

Agenda Notes for discussion in the 165th Meeting (8th Meeting of the 2023 Series) of the Unit Approval Committee for SEZs through Hybrid Mode, to be held on the 28th July 2023 at 3.00P.M. in the chamber of Development Commissioner, Falta Special Economic Zone at 4th Floor of 2nd MSO Building, Nizam Palace, 234/4, AJC Bose Road, Kolkata-700020.

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Action taken report of 164th Meeting of the Unit Approval Committee held on 27th June, 2023 through Hybrid Mode under the Chairmanship of Development Commissioner, Falta Special Economic Zone at 4th Floor, 2nd MSO Building, Nizam Palace, 234/4, AJC Bose Road, Kolkata-700 020

Name of the SEZ: FALTA SPECIAL ECONOMIC ZONE

Agenda Item No. 1	Application by M/s. Alps Overseas Pvt. Ltd., a Plastic Recycling Unit of Falta SEZ for setting up of a new Unit at Falta Special Economic Zone, Falta, South 24 Parganas for Multi Product Warehouse in Unit-II - regarding	Action taken
Agenda Item No.2	Request of M/s. Sukhi India Pvt. Ltd., a Plastic re-cycling Unit of FSEZ for inclusion of the following item 'PE/LLDPE/LDPE Powder/ Pulverised Powder, RESINS' (HSN CODE 39011010/39011090) in their existing LOA No. FEPZ/LIC/S-36/1996/2600 Dated 18.10.1996 - regarding	Action taken
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Name of the SEZ:MANIKANCHAN SPECIAL ECONOMIC ZONE

Agenda Item No. 4	Request by M/s. Evique Jewels Pvt. Ltd., a manufacturing unit of Manikanchan SEZ, for inclusion of item "Watch Straps, Watch Bands and Watch Bracelets and Parts thereof; of base metal, whether or not gold or silver-plated; Other" under ITC HS Code 91132090 - regarding	Action taken
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Supplementary Agenda 5	Proposal for addition of new items in the existing LOA No.FSEZ/LIC/J-18/2003/4801 dated 04.09.2003 in respect of M/s. J.V. Gokal& Co. Pvt. Ltd. - regarding	Action taken
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Monitoring of Annual Performance of SEZ Units

Sl. No.	Name of the Unit	Name of the Zone	Period of Monitoring	Page No.
1.	M/s. Harven Veneer	Falta SEZ	2019-20, 2020-21, 2021-22	Negative NFE noted for FY 2019-20 & 2020-21, and Positive NFE for FY 2021-22. Unit to state reasons for negative NFEs.

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भारतसरकार/Government of India
 फलताविशेष आर्थिक क्षेत्र/FALTA SPECIAL ECONOMIC ZONE
 वाणिज्यविभाग/Department of Commerce
 वाणिज्यऔरउद्योगमंत्रालय/Ministry of Commerce & Industry
 निज़ामपैलेस, दूसराएमएसओभवन, चौथीमंजिल/Nizam Palace, 2nd MSO Building, 4th Floor
 234/4 एजेसीबोसरोड, कोलकाता-700 020/ 234/4 AJC Bose Road, Kolkata-700 020;
 टेलीफोन /Phone:2287-2263,2287-7923,2281-3117; फैक्स /Fax : (033)2287-3362;
 ईमेल /Email: fsez@nic.in; वेबसाइट /Website: <http://fsez.gov.in>

F.No. 1(68)164thUAC/202

Date:-04.07.2023

Subject: Minutes of 164th meeting (7th Meeting of the 2023 Series) of the Unit Approval Committee held on 27.06.2023 through Hybrid mode under the chairmanship of Zonal Development Commissioner, Falta Special Economic Zone.

Agenda Item No. A&B: Ratification of the minutes of 162nd UAC meeting held on 31.05.2023.

Minutes of the 162ndUAC meeting was circulated to all the members of UAC. As no comments were received, the Committee ratified the minutes and confirmed the same.

Agenda Item No.1: Application by M/s. Alps Overseas Pvt. Ltd., a Plastic Recycling unit of Falta SEZ for setting up of a new Unit at Falta Special Economic Zone, Falta, South 24 Parganas for Multi Product Warehouse in Unit-II-regarding.

The request of M/s Alps Overseas Pvt. Ltd, a plastic recycling unit in Falta SEZ, for setting up a new warehousing unit in Falta zone, which was kept in abeyance by the 162nd UAC, was again placed before the Committee for deliberation. Shri Shobhit Shaikhar, authorized representative of the unit, physically appeared before the Committee during the deliberation.

Committee observed, that unit has now tied up with a foreign company (client) M/s Unique Overseas Inc having its address at 425 Northern Blvd, Suite 22, Great Neck NY, 11021, USA, for their warehousing activity.

After deliberation, Committee approved the proposal of M/s Alps Overseas Pvt Ltd for setting up warehousing unit in Falta SEZ in terms of Rule 19 of SEZ Rules 2006, with following conditions:

- Unit shall hold goods only on account of foreign companies, and all their transactions shall only be in convertible foreign currency.
- KYC documents (in original) of the foreign companies have to be submitted before keeping their goods in the warehouse.

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- iii. The unit shall specifically declare the goods to be warehoused along with its 8 digit ITC HS codes.
 - iv. None of the items which are restricted or prohibited will be allowed to be warehoused and any restrictions on import/export of any items will apply unless specifically permitted by the UAC. This clause will have overriding effect for any approval granted in LOA now or before.
 - v. The items will be subjected to the Policy conditions specified in DGFT's ITC HS Code wherever applicable.
 - vi. In case of any discrepancies/mismatch between the 'Description of Goods' as provided by the unit and 'Description of goods' as per DGFT Import policy, the later will prevail.
 - vii. The unit will obtain registration/clearance/any other mandatory requirement prescribed under any Act/Rules from concerned agencies before undertaking of such activities.
 - viii. The unit will give a declaration that the items proposed for warehouse are not hazardous/toxic, and in case of mis-declaration action as per the relevant provisions of the Foreign Trade (Development and Regulations) Act, 1992 (22 of 1992) shall be taken against the unit.
 - ix. The unit shall maintain separate records for its warehousing activities, and shall be monitored separately under Rule 54 of SEZ Rules 2006.

Agenda Item No.2: Request of M/s. Sukhi India Pvt. Ltd., a Plastic re-cycling Unit of FSEZ for inclusion of the items viz. "PE/LLDPE/LDPE Powder/Pulverised Powder, RESINS (ITC HS CODE 39011010/39011090)" in their existing LOA No. FEPZ/LIC/S-36/1996/2600 dated 18.10.1996- regarding

The request of M/s. Sukhi India Pvt. Ltd., a plastic re-cycling unit of Falta SEZ, for inclusion of additional items of export viz. "PE/LLDPE/LDPE Powder/Pulverized Powder, RESINS (ITC HS CODE 39011010/39011090)" in their Letter of Approval (LOA) No. FEPZ/LIC/S-36/1996/2600 dated 18.10.1996, was discussed and examined in detail by the Committee. Mr. Pawan Khaitan, authorized representative of the unit, physically appeared before the Committee and requested to consider their request.

Committee observed, that in Sl. No. 5 of the unit's LOA renewal letter No. FSEZ/LIC/S-37/2019/2364 dated 08.12.2022 it is stated that, "The Unit shall fulfill the export obligation criteria including NFE as per provisions of policy dated 27.05.2021 (obligation as provided in Rule 53 of SEZ Rules, 2006). ***No broad banding of unrelated products shall be allowed for this purpose***".

Committee noted rule 18(4A).a. of SEZ Rules, 2006 which says, " For existing plastic or used clothing units in Special Economic Zone, broad banding and splitting of license for setting up of sub-Units shall not be allowed and.....".

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Unit clarified, that they are not broad banding as the present and proposed items of export will have the same ITC (HS) code, and they will differ only in their physical form.

After deliberation, Committee approved inclusion of the subject items in the unit's LOA in terms of rule 19(2) of SEZ Rules 2006, with following conditions:

- i. There shall be no enhancement of the import quantum of plastic wastes and scraps for this purpose.
- ii. There has to be hundred percent physical exports of the items, and no DTA sales will be permitted.
- iii. The terms & conditions as stipulated in unit's LOA renewal letter dated 08.12.2022 referred above has to be complied.

Agenda Item No.3: Application of M/s. The West Bengal Warehousing and Trading Co. for setting up of anew Trading unit in Falta SEZ, Falta, South 24 Parganas-regarding

The request of M/s. The West Bengal Warehousing and Trading Co. for setting up a new Trading unit in Falta SEZ was discussed and examined by the Committee. Mr. Ratindranath Bandhopadhyay, authorized representative of the firm physically appeared before the Committee and requested to consider their proposal.

The firm stated, that they are a Proprietorship firm and is having a Trading unit in Kandla SEZ, and they want to open a Trading unit in Falta SEZ so as to tap the trading opportunities in ASEAN countries with less logistic cost.

The Committee noted, that the KYC documents submitted by the firm have many deficiencies.

In view of above, the Committee decided to keep the agenda in abeyance till deficiencies in the KYC documents are resolved.

Agenda Item No.4: Request by M/s. Evique Jewels Pvt. Ltd., a manufacturing unit of Manikanchan SEZ, for inclusion of Item "Watch Straps, Watch Bands and Watch Bracelets and Parts thereof: of base metal, whether or not gold or silver-plated;Other" under ITC HS Code 91132090" in their existing Letter of Approval (LOA)-regarding.

The request of M/s. Evique Jewels Pvt. Ltd., a manufacturing unit of Manikanchan SEZ, for changing the items of export in their LOA was discussed and examined in detail by the Committee. Mr. Ferdoush Abutaher Shaikh, Director of the unit, virtually appeared before the committee and requested to consider their proposal.

The unit stated, that they would like to change the items of export in their LOA from the present "Wrist Watches Clad with Precious metal, under ITC HS code 91011100" TO "Watch Straps, Watch Bands and Watch Bracelets and Parts thereof of base metal, whether or not gold or silver-plated, other, under ITC HS Code 91132090".

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Committee observed, that a One Time Permission was accorded to the unit in June 2023 by the Zonal Development Commissioner, Falta SEZ, for exporting their items under the ITC HS Code 91132090 so as to enable them make their first export shipment.

After deliberation, Committee approved change in the items of manufacture, from ITC HS Code 91011100 to 91132090, in the unit's LOA in terms of rule 19(2) of SEZ Rules 2006.

Agenda Item No.5: Proposal for addition of new items in the existing LOA No. FSEZ/LIC/J-18/2003/4801 dated 04.09.2003 in respect of M/s. J.V. Gokal & Co. Pvt. Ltd.-regarding.

The request of M/s J.V.Gokal & Co. Pvt Ltd, a manufacturing unit of Falta SEZ, for inclusion of new items of export in their LOA No.FSEZ/LIC/J-18/2003/4801 dated 04.09.2003 was discussed in detail by the Committee. Ms Mohar Chatterjee, authorized representative of the unit physically appeared before the committee and requested to consider their request.

Committee observed, that proposed items as at Sl. Nos. 1, 2 and 3 doesn't have the 8 digit ITC (HS) code mentioned against it, and as a result exact nature of the items could not be ascertained. Committee directed the unit to indicate the 8 digit ITC (HS) code of the proposed items for further necessary actions in this regard.

I/r/o proposed items as at Sl. Nos. 4 and 5, Committee observed that, the items "Copper Mug" (ITC HS Code-73239390) and Master Cartoon (ITC HS Code – 48192020) are special type of tea packaging materials (customized packaging materials) imported/procured from DTA and thus cannot be considered as items of export, and thus

Committee decided that such specialized/customized packaging materials to be dealt as per rule 27 of SEZ Rules 2006, subject to the condition that the unit produces satisfactory documentary evidence showing that such specialized/customized tea packaging materials have been asked by their foreign buyer.

Monitoring of Annual Performance of SEZ Units

The following Units have been monitored by the Committee-

Sl. No.	Name of the Unit	Name of the Zone	Period of Monitoring	Remarks
1.	M/s. Harven Veneer Pvt. Ltd.	Falta SEZ	2019-20, 2020-21, 2021-22	Negative NFE noted for FY 2019-20 and 2020-21, and Positive NFE noted for FY 2021-22. Unit to state reasons for the negative NFEs.

FALTA SPECIAL ECONOMIC ZONE

165thUAC meeting to be held on 28th July, 2023

Agenda No.1

Sub:-Request by M/s.Linc Limited, a Manufacturing Unit of Falta SEZ for renewal of LOP No. FSEZ/LIC/L-18/2007/2409 dated 24.08.2007- regarding

M/s. Linc Limited, a Manufacturing unit of Falta SEZ, holding LOP No.FSEZ/LIC/L-18/2007/2409 dated 24.08.2007 has applied vide their letter dated 29.05.2023 for renewal of LOP. Their LOP has expired on **31.03.2023**. The unit is presently non-functional. The details of the unit are given below:-

1.	Name of the unit	M/s. Linc Limited (Earlier M/s. Linc Pen & Plastics Ltd.)
2.	Registered Office	Satyam Towers, 1 st Floor, 3, Alipore Road, Kolkata -700027
3.	Factory Address	Sector-II, Shed No.2, Falta, South 24 Parganas, West Bengal-743504
4.	Name of the Directors/Proprietor	Shri Deepak Jalan Shri SohanLalKochar
5.	LoA No. & Date	FSEZ/LIC/L-18/2007/2409 dated 24.08.2007
6.	Name of the Service Activities	Ball Pens, Refills, Gel Pens, Pen parts, Pencils, Scales, Geometry boxes, Stationery item, Files, Folders
7.	Date of Commencement of Production (DCP)	02.04.2008
8.	Validity of LoA	31.03.2023
9.	Monitored Upto	2020-21
10.	Countries of export as per APR	Brazil, Hungary, Japan, Oman, Singapore, USA & Yemen

M/s. Linc Pen & Plastics Limited has been issued an **SCN No.12/2016 PC (A&A) dated 03.10.2016** demanding an amount of **Rs.3,63,78,666/-** for alleged availment of SAD and alleged non-payment of @12% CVD by wrongfully availing benefit of Notification on the goods which were cleared from their Falta SEZ Unit to their DTA unit during the period of January 2013 to December 2014 for recovery of the same under Section 28(4) of the Customs Act, 62. In due course, the Adjudicating Authority, Commissioner of Customs, passed an Order-in- Original No.KOL/CUS/COMMISSIONER/AP/ADMN/22/2019 dated 11.07.2019

confirming duty demand to the extent of **Rs.3,63,78,666/-** and also imposed a **penalty of Rs.3,63,78,666/-** under Section 114A of the Customs Act, 1962 for their act of commission and omission. Being aggrieved by the Order, the Unit has filed an Appeal before CESTAT, which is still pending before CESTAT.

Further, the unit has earlier applied for De-bonding of their unit in terms of Rule 74 of SEZ Rules, 2006. The unit has also submitted Bank Guarantee of **Rs.2,32,00,000/-** and **Rs.1,58,00,000/-** for DTA removal of old machinery, equipments and Moulds from their SEZ premises.

As far as renewal of LOA is concerned, Customs, FSEZ is of the view that the unit may be debonded pending adjudication by CESTAT, subject to submission of Bank Guarantee with self-renewal clause equivalent to the amount of confirmed duty demand with applicable interest and penalty, as happen to be recoverable from the unit as per the Order in Original in force, although appealed against.

Further, the unit is yet to submit the APR for the FY 2021-22 and 2022-23. The matter of renewal of LOA is placed before UAC for discussion/ decision.

FALTA SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.2

Subject:- Issuance of Show Cause Notice to M/s. Ariova Enterprises, a Trading Unit of Falta SEZ, holding LOA No.FSEZ/LIC/A-75/2022/2861 dated 17/01/2022 for cancellation of LOA in terms of Section 16 of SEZ Act, 2005 - regarding

M/s. Ariova Enterprises Private Limited, having their registered office at 102, Knox Plaza B Wing, ChincholiBunder Road, Off Link Road, NR Tangent Showroom, Malad West, Mumbai 400064, had been permitted vide Letter of Approval No. FSEZ/LIC/A-75/2022/2861 dated 17/01/2022 for establishment of an Unit for trading of “(i) smart cards, (ii) mobile phone screens, (iii) chargers, (iv) USB cables, (v) Speakers, (vi) Intel processors, (vii) RAMs, (viii) solid state devices, (ix) power supply, (x) Processors (xi) Mobile ear pods (xii)Headphones (xiii) Memory Cards, (xiv) Semi-Conductors, (xv) Mixture of aromatic chemicals oil as perfumery compound (xvi) Incense sticks (xvii) Camphor oil (xviii) Rose oil (xix) Lemon grass oil (xx) Rose water (xxi) Keora water (xxii) palmrosa oil (xxiii) Tuberose concrete (xxiv) perfumed hair oil (xxv) Eucalyptus hair oil and (xxvi) Cedarwood oil”.

The unit executed Bond-cum- Legal Undertaking with this office as per Sl. No. (i) of the LoA and the same was accepted by this office. In terms of Rule 19(4) of Special Economic Zone Rules, 2006 says, **“the Letter of Approval shall be valid for one year within which period the Unit shall commence production and the Unit shall intimate date of commencement of production or activity to the Development Commissioner”.** But the unit did not intimate the date of commencement of production to the Development Commissioner.

Rule 27(10) of Special Economic Zone Rules, 2006 says, “The assessment of imports and domestic procurement by a Developer or a unit shall be on the basis of self-declaration and shall not be subjected to routine examination except in case of procurement from the Domestic Tariff Area under the claim of export entitlement.”

PROVIDED that where based on a prior intelligence the examination becomes necessary the same shall be carried out by the Authorized Officer(s) after obtaining written permission from the Development Commissioner or the Specified Officer.” But based on prior intelligence Customs Department intercepted unit’s import consignments arrived against Seventeen Bill of entries (B/E) as mentioned below and reported gross miss –declaration:

Sl. No.	B/E	B/E date	Description of goods declared	Quantity (pieces)	Declared Value (in INR)
1	1000670	29.03.2022	Micro SD 1TB card	3205	65559557.00
2	1000669	29.03.2022		3230	66070942.00
3	1000624	24.03.2022		3240	66275496.00

4	1000622	24.03.2022	Micro SD 1TB card	3230	66070942.00
5	1000627	24.03.2022		2905	59422937.00
6	1000682	24.03.2022		3225	65968665.00
7	1000625	24.03.2022		3240	66275496.00
8.	1000626	24.03.2022		3240	66275496.00
9.	1000621	24.03.2022		3240	66275496.00
10	1000617	24.03.2022		3240	66275496.00
11	1000623	24.03.2022		3235	66173219.00
12	1000619	24.03.2022		3235	66173219.00
13	1000620	24.03.2022		3240	66275496.00
14	1000618	24.03.2022		3230	66070942.00
15	1000667	29.03.2022		3235	66173219.00
16	1000666	29.03.2022		3245	66173219.00
17	1000676	29.03.2022		3235	66173219.00
Total				54650	1117683056.00

As per Section 21(1) of SEZ Act 2005 read with Central Government Gazette Notification No 66, Sl. No.76(E) dated 13/01/2010, all the acts or omissions punishable under the Foreign Trade(Development and Regulation) Act,1992 are notified offences for the purposes of the Special Economic Zone Act,2005.

In view of above, Unit Approval Committee may consider issuing Show Cause Notice to the unit for cancellation of its LoA in terms of Section 16 of SEZ Act 2005, for gross misuse and violation of SEZ Acts & Rules read with Foreign trade (Development and Regulation) Act,1992.

FALTA SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.3

Subject:-Issuance of Show Cause Notice to M/s. Blue Brilliance Exim Pvt. Ltd., a Trading Unit of Falta SEZ, holding LOA No.FSEZ/LIC/B-29/2021/2700 dated 31/12/2021 for cancellation of LOA in terms of Section 16 of SEZ Act, 2005 - regarding

M/s. Blue Brilliance Exim Pvt.Ltd. having their registered office at Shop No.G-76, Building Express Zone Mall Road Opp. Adani Electricity,W.E. Highway,Malad, East Mumbai-400097 had been permitted vide Letter of Approval No. FSEZ/LIC/B-29/2021/2700 dated 31/12/2021 for establishment of an Unit for trading of “(i) Random Access Memory(RAM) (ii) chargers, (iii) power supply,(iv) mobile phone screens,(v) Speakers,(vi) Headphones,(vii) Mobile Ear pods,(viii) solid state devices(SSD),(ix)Smart Cards,(x)Memory Cards,(xi) Semi-Conductors,(xii)Intel Processors, (xiii) Processors and (xiv) USB cables” .

The unit executed Bond-cum- Legal Undertaking with this office as per Sl. No. (i) of the LoA and the same was accepted by this office.

Rule 19(4) of Special Economic Zone Rules, 2006 says, “the Letter of Approval shall be valid for one year within which period the Unit shall commence production and the Unit shall intimate date of commencement of production or activity to the Development Commissioner”. But the unit did not intimate the date of commencement of production to the Development Commissioner.

Rule 27(10) of Special Economic Zone Rules, 2006 says, “The assessment of imports and domestic procurement by a Developer or a unit shall be on the basis of self-declaration and shall not be subjected to routine examination except in case of procurement from the Domestic Tariff Area under the claim of export entitlement.

PROVIDED that where based on a prior intelligence the examination becomes necessary the same shall be carried out by the Authorized Officer(s) after obtaining written permission from the Development Commissioner or the Specified Officer.”Butbased on prior intelligence Customs Department intercepted unit’s import consignments arrived against twenty eight Bill of entries (B/E) as mentioned below and reported gross mis –declaration:

Sl. No	B/E	B/E date	Description of goods declared	Quantity (pieces)	Declared Value (in INR)
1	1000631	25.03.2022	Micro SD 1TB card	3500	69440700.00
2	1000640	25.03.2022		3480	69043896.00
3	1000635	25.03.2022		3080	61107816.00
4	1000638	25.03.2022		3500	69440700.00

5	1000634	25.03.2022	Micro SD 1TB card	2074	41148574.80	
6	1000642	25.03.2022		2900	57536580.00	
7	1000636	25.03.2022		3760	74599152.00	
8.	1000629	25.03.2022		3060	60711012.00	
9.	1000630	25.03.2022		2850	56544570.00	
10	1000637	25.03.2022		3600	71424720.00	
11	1000633	25.03.2022		3620	71821524.00	
12	1000641	25.03.2022		3120	61901424.00	
13	1000632	25.03.2022		3200	63488640.00	
14	1000639	25.03.2022		3460	68647092.00	
15	1000692	30.03.2022		3200	63488640.00	
16	1000699	30.03.2022		3800	75392760.00	
17	1000697	30.03.2022		2800	55552560.00	
18	1000695	30.03.2022		3700	73408740.00	
19	1000702	30.03.2022		3500	69440700.00	
20	1000704	30.03.2022		3500	69440700.00	
21	1000694	30.03.2022		2800	55552560.00	
22	1000691	30.03.2022		3000	59520600.00	
23	1000693	30.03.2022		3400	67456680.00	
24	1000700	30.03.2022		2850	56544570.00	
25	1000690	30.03.2022		3800	75392760.00	
26	1000701	30.03.2022		3600	71424720.00	
27	1000696	30.03.2022		3780	74995956.00	
28	1000698	30.03.2022		3100	61504620.00	
Total				92034	1825972967.00	

Rule 71 of Special Economic Zone Rules, 2006 says,” Export value of goods, software and services may be realized and repatriated as per instructions of the Reserve Bank of India issued from time to time.”But Customs Department reported that the unit has pending Foreign Exchange realization against all 28 shipping bills through which the unit exported the electronic items.

As per Section 21(1) of SEZ Act 2005 read with Central Government Gazette Notification No 66, Sl No 76(E) dated 13/01/2010, all the acts or omissions punishable under the Foreign Trade(Development and Regulation) Act,1992 are notified offences for the purposes of the Special Economic Zone Act,2005.

In view of above, Unit Approval Committee may consider issuing Show Cause Notice to the unit for cancellation of its LoA in terms of Section 16 of SEZ Act2005, for gross misuse and violation of SEZ Acts & Rules read with Foreign trade (Development and Regulation) Act,1992.

FALTA SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.4

Subject:-Issuance of Show Cause Notice to M/s. Cloom Trading Private Limited, a Trading Unit of Falta SEZ, holding LOA No. FSEZ/LIC/C-36/2021/2076 dated 12.11.2021 for cancellation of LOA in terms of Section 16 of SEZ Act, 2005 - regarding

M/s. Cloom Trading Private Limited having their registered office at 111, 1st Floor, 15A/ 15B Supariwala Estate, Tata Road No.2, Roxy Cinema Opera House, Gurgaon, Mumbai, 400004 (hereinafter referred as Unit) had been permitted vide Letter of Approval No.FSEZ/LIC/C-36/2021/2076 dated 12.11.2021 (hereinafter referred as LOA) for establishment of an unit in Falta Special Economic Zone, Falta for trading of electronic items, viz. (i) Random Access Memory, (ii) Chargers, (iii) Power Supply, (iv) Mobile Phone Screen, (v) Speakers, Head Phones, (vi) Mobile Earpods, (vii) Solid state devices, (viii) Smart Cards, (ix) Memory Cards, (x) Semi-Conductors, (xi) Intel-Processors, (xii) Processors and (xiii) USB Cables. The unit executed Bond-cum- Legal Undertaking with this office as per Sl.No.(i) of the LOA and the same was accepted by this office.

Rule 19(4) of Special Economic Zone Rules, 2006 says, “the Letter of Approval shall be valid for one year within which period the Unit shall commence production and the Unit shall intimate date of commencement of production or activity to the Development Commissioner”, but the unit did not intimate the date of commencement of production to the Development Commissioner.

Rule 27 (10) of Special Economic Zone Rules 2006 says, “The assessment of imports and domestic procurement by a Developer or a Unit, shall be on the basis of self-declaration and shall not be subjected to routine examination except in case of procurement from the Domestic Tariff Area under the claim of export entitlements:

PROVIDED that where based on a prior intelligence the examination becomes necessary the same shall be carried out by the Authorized Officer(s) after obtaining written permission from the Development Commissioner or the Specified Officer.” But, based on prior intelligence Customs Department intercepted unit’s import consignments arrived against seven Bill of Entries (B/E) as mentioned below and reported gross mis-declaration:

Sl.No.	B/E no.	B/E date	Description of goods declared	Quantity (pieces)	Declared value (in INR)
1	1000416	25.02.2022	Micro SD 1 TB Card	3600	7,06,24,288.00
2	1000417	25.02.2022		3502	6,86,70,488.00
3	1000418	25.02.2022		3600	7,06,21,551.00
4	1000412	25.02.2022		3600	7,37,57,427.00

5	1000415	25.02.2022		3500	7,37,57,427.00
6	1000414	25.02.2022		3500	6,86,65,164.00
7	1000413	25.02.2022		3500	6,86,67,826.00
TOTAL				24802	49,47,64,171.00

Rule 71 of Special Economic Zone Rules 2006 says, “Export value of goods, software and services may be realized and repatriated as per instructions of the Reserve Bank of India issued from time to time.” But, Customs Department reported that the unit has pending Foreign Exchange realization against all the 87 Shipping Bills through which the unit exported the electronic items.

As per Section 21(1) of SEZ Act 2005 read with Central Government Gazette Notification No. 66, Sl. No. 76(E) dated 13/01/2010, all the acts or omissions punishable under the Foreign Trade (Development and Regulation) Act, 1992 are notified offences for the purposes of the Special Economic Zone Act, 2005.

In view of above, **Unit Approval Committee may consider issuing Show Cause Notice to M/s.Cloom Trading Private Limited for cancellation of its LOA in terms of Section 16 of SEZ Act 2005, for gross misuse and violation of SEZ Acts & Rules read with Foreign Trade (Development and Regulation) Act, 1992.**

FALTA SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.5

Sub: Issuance of Show Cause Notice to M/s. Kimat Trading Private Limited, a Trading Unit of Falta SEZ, holding LOA No. FSEZ/LIC/K-43/2022/4049 dated 01/03/2022 for cancellation of LOA in terms of Section 16 of SEZ Act, 2005 - regarding

M/s. Kimat Trading Private Limited having their registered office at 2, Floor-3, 3, Navjeevan Society, Dr. DadasahebBhadkamkarMarg, Mumbai Central, Maharashtra – 400 008 had been permitted vide Letter of Approval No. FSEZ/LIC/K-43/2022/4049 dated 01/03/2022 for establishment of an Unit for trading of “(i) Random Access Memory, (ii) Chargers, (iii) Power Supply, (iv) Mobile Phone Screen, (v) Speakers, Head Phones, (vi) Mobile Earpods, (vii) Solid state devices, (viii) Smart Cards, (ix) Memory Cards, (x) Semi-Conductors, (xi) Intel-Processors, (xii) Processors and (xiii) USB Cables” at Elevated Ground Floor, DC Building, Falta Special Economic Zone South 24 Parganas, West Bengal-743504.

Rule 19(5) of SEZ Rule, 2006 states that “If the unit has not commenced production within the validity period or the extended validity period under sub-rule (4), the Letter of Approval shall be deemed to have been lapsed with effect from the date on which its validity period expired”.

The Unit, vide their email dated 09.03.2022 communicated regarding acceptance of all the terms and conditions as referred in LOA. **The Unit has failed to intimate the date of commencement of production or activity to the Development Commissioner during one year period from issue of LOA.**

Rule 27 (10) of Special Economic Zone Rules 2006 says, “The assessment of imports and domestic procurement by a Developer or a Unit, shall be on the basis of self-declaration and shall not be subjected to routine examination except in case of procurement from the Domestic Tariff Area under the claim of export entitlements:

PROVIDED that where based on a prior intelligence the examination becomes necessary the same shall be carried out by the Authorized Officer(s) after obtaining written permission from the Development Commissioner or the Specified Officer.” But, Customs department reported that, based on prior intelligence they intercepted unit’s import consignments at Air Cargo Complex, NSCBI Airport Kolkata, arrived against 16 AWBs/HAWBs, and found gross mis-declaration.

As per Section 21(1) of SEZ Act 2005 read with Central Government Gazette Notification No. 66, Sl. No. 76(E) dated 13/01/2010, all the acts or omissions punishable

under the Foreign Trade (Development and Regulation) Act,1992 are notified offences for the purposes of the Special Economic Zone Act, 2005.

In view of above, Unit Approval Committee may consider issuing Show Cause Notice to the unit for cancellation of its LoA in terms of Section 16 of SEZ Act2005, for gross misuse and violation of SEZ Acts & Rules read with Foreign trade (Development and Regulation) Act,1992.

FALTA SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.6

Sub: Issuance of Show Cause Notice to M/s. Syzmi Trading Pvt. Ltd., a Trading Unit of Falta SEZ, holding LOA No. FSEZ/LIC/S-117/2021/920 dated 05.08.2021 for cancellation of LOA in terms of Section 16 of SEZ Act, 2005 - regarding

M/s. Syzmi Trading Pvt. Ltd. having their registered office at 110, 1st Floor, Plot-16, Roxy Chambers, Mama Parmanand Marg, Opera House, Girgaon, Mumbai (MH) 400004 had been permitted vide Letter of Approval No. FSEZ/LIC/S-117/2021/920 dated 05.08.2021 for establishment of an Unit for trading of “(i) Random Access Memory(RAM) (ii) chargers, (iii) power supply, (iv) mobile phone screens, (v) Speakers, (vi) Headphones, (vii) Mobile Ear pods, (viii) solid state devices(SSD), (ix) Smart Cards, (x) Memory Cards, (xi) Semi-Conductors, (xii) Intel Processors, (xiii) Processors and (xiv) USB cables” .

The unit executed Bond-cum- Legal Undertaking with this office as per Sl. No. (i) of the LoA and the same was accepted by this office.

Rule 19(4) of Special Economic Zone Rules, 2006 says, “the Letter of Approval shall be valid for one year within which period the Unit shall commence production and the Unit shall intimate date of commencement of production or activity to the Development Commissioner”. But the unit did not intimate the date of commencement of production to the Development Commissioner.

Rule 27(10) of Special Economic Zone Rules, 2006 says, “The assessment of imports and domestic procurement by a Developer or a unit shall be on the basis of self-declaration and shall not be subjected to routine examination except in case of procurement from the Domestic Tariff Area under the claim of export entitlement.

PROVIDED that where based on a prior intelligence the examination becomes necessary the same shall be carried out by the Authorized Officer(s) after obtaining written permission from the Development Commissioner or the Specified Officer.” But based on prior intelligence Customs Department intercepted unit’s import consignments arrived against 30 Bill of entries (B/E) as mentioned below and reported gross mis-declaration:

Sl. No	B/E	B/E date	Description of goods declared	Quantity (pieces)	Declared Value (in INR)
1	1000429	26.02.2022	Micro SD 1TB card	3600	70627026.00
2	1000426	26.02.2022		3600	70635240.00
3	1000434	26.02.2022		3600	70629764.00

4	1000428	26.02.2022	Micro SD 1TB card	3600	70632502.00
5	1000433	26.02.2022		3300	71801360.00
6	1000427	26.02.2022		3700	72574819.00
7	1000432	26.02.2022		3700	72577633.00
8.	1000430	26.02.2022		3700	72580447.00
9.	1000431	03.02.2022		3600	71798577.00
10	1000197	03.02.2022		2960	53425350.00
11	1000193	03.02.2022		3240	72658476.00
12	1000196	03.02.2022		3530	57310830.00
13	1000195	03.02.2022		3480	55368090.00
14	1000192	03.02.2022		3120	72269928.00
15	1000199	03.02.2022		3049	71687106.00
16	1000194	03.02.2022		3598	58282200.00
17	1000198	03.02.2022		3000	71548251.00
18	1000181	03.02.2022		3688	58279941.00
19	1000188	03.02.2022		2950	68578722.00
20	1000182	03.02.2022		3000	69938640.00
21	1000186	03.02.2022		2748	65276064.00
22	1000187	03.02.2022		2850	67607352.00
23	1000184	03.02.2022		3690	59253570.00
24	1000183	03.02.2022		3720	60613488.00
25	1000185	03.02.2022		3740	63574224.00
26	1002273	06.12.2022		3600	70613413.00
27	1002271	06.12.2022		3800	74412360.00
28	1002264	20.12.2021		3200	63695040.00
29	1002363	20.12.2021		3240	64491228.00
30	1002362	20.12.2021		3300	65688056.00
Total				101903	2008429697.00

Rule 71 of Special Economic Zone Rules, 2006 says,” Export value of goods, software and services may be realized and repatriated as per instructions of the Reserve Bank of India issued from time to time.” But **Customs Department reported that the unit has pending Foreign Exchange realization against all 30 shipping bills through which the unit exported the electronic items.**

As per Section 21(1) of SEZ Act 2005 read with Central Government Gazette Notification No 66, Sl No 76(E) dated 13/01/2010, all the acts or omissions punishable under the Foreign Trade(Development and Regulation) Act,1992 are notified offences for the purposes of the Special Economic Zone Act,2005.

In view of above, Unit Approval Committee may consider issuing Show Cause Notice to the unit for cancellation of its LoA in terms of Section 16 of SEZ Act2005, for gross miss-use and violation of SEZ Acts & Rules read with Foreign trade (Development and Regulation) Act,1992.

FALTA SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.7

Sub: Request for extension of LOA No.FSEZ/LIC/M-43/2009/541 dated 01.05.2009 of M/s. Modern Solar Pvt. Ltd. specifically for De-bonding purpose -regarding

M/s. Modern Solar Pvt. Ltd., a Manufacturing unit in Falta SEZ has requested for renewal of LOP beyond 05.05.2023. The particulars of the unit are given below:-

1.	Name of the unit	M/s. Modern Solar Pvt. Ltd.
2.	Registered Office	“Sukhsagar”, 2 nd Building, 2 nd Floor, 2/5, Sarat Bose Road, Kolkata - 700020
3.	SEZ Unit Address	Sector-II, Plot No.47, Falta SEZ, Falta, South 24 Parganas, West Bengal-743504
4.	Name of the Directors	ShriKetanDoshi
5.	LOA/LOP No. & Date	FSEZ/LIC/M-43/2009/541 dated 01.05.2009
6.	Items of Manufacturing	Solar Photovoltaic Modules & Cells (ITC HS Code-85414011)
7.	Date of Commencement of Production	06.05.2011
8.	Validity of LOA/LOP	05.05.2023

The unit has intimated that they have paid pending rental dues of Rs.2,84,259/- and Rs.83,883/- to FSEZ Authority on 23.06.2023 and 20.07.2023.

The matter of extension of LOA for debonding purpose was earlier placed before the 154thUAC held on 25.01.2023. The Committee extended the LOP for one year upto 05.05.2023 exclusively for debonding purpose.

They have again requested for extension of LOP beyond 05.05.2023 exclusively for De-bonding purpose.

Hence the matter is placed before UAC for discussion/decision.

FALTA SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.8

Sub:- Application of M/s. West Bengal Warehousing And Trading Co. for setting up of a new Trading Unit in Falta SEZ , Falta - regarding

M/s. West Bengal Warehousing and Trading Co. vide its letters dated 21.04.2023 & 12.06.2023 and 20.07.2023 has submitted an application for setting up a new Trading unit at Falta SEZ in Form F. The details of the firm as submitted are below:

1	i.	Name of the proposed Unit & Proprietor and its Application Request ID submitted through sez online.	M/s. West Bengal Warehousing And Trading Co. KADRI PARVEZ HUSENMIYA Request ID112300001984
	ii	Whether downloaded signed application has been Uploaded into sezonline along with other relevant documents.	No. The firm has submitted hard copies of relevant documents.
	iii	Whether the Common Seal has been embossed on the last Page Application after signing of authorised Director(s)/Signatories.	It is not a Company. It's a Proprietorship Firm.
	iv	Whether, an Undertaking to fulfill the applicable environmental and pollution control norms is given. (However, it may be obtained before issuing LOA/ or before accepting BLUT)	The firm has submitted Undertaking to fulfill applicable environmental and pollution control norms as application vide their letter dated 12.06.2023.
2.		Whether, online payment of Rs.5000/- in favour of "Pay & Accounts Officer, Ministry of Commerce & Industry, Department of Commerce" payable at Bharatkosh" is made and supporting document has been given.	Yes
3.	i	Whether, Affidavit, in proper format, on non-judicial stamp paper of Rs. 100/- duly notarized having embossed with Common Seal of the Company/Firm. (Original required)	Affidavit submitted. Common Seal not embossed since it's a Proprietorship Firm.
	ii.	Whether the said Affidavit (Legal Undertaking) is Stappled. (Stappled Notarized documents are not accepted)	Yes
	iii	Whether the said Affidavit (Legal Undertaking) has been has been executed on non-judicial stamp paper of Rs. 100 bought in the State where the SEZ/Unit is located and notarized by a Notary Public registered in the concerned State in which concerned SEZ falls and Whether the Common Seal has been embossed	---

		on the Affidavit.	
4.	i.	Whether, the Applicant(s) is/are duly authorised by the Board of Directors or otherwise.	NA
	ii.	Whether, a copy of Board Resolution is attached with the Application authorising the Applicant(s) to submit this Application and whose Specimen Signature(s) have also been duly authenticated.	NA
5.	i.	Whether constitution of the applicant Company/Firm is given. (Pub. Ltd. Company/ Pvt.Ltd.Company)/ Proprietorship/Partnership/Others.)	Project Report of the firm submitted
	ii.	Whether, there is clearly mentioning of Manufacturing (M)/ Services (S)/ Warehousing (W).	TRADING
	iii	Whether, a Copy of TAN/PAN Card of Firm/Company is given.	PAN of the proprietor given [ATVPK1508R]
	iv	Whether, a copy of Importer-Exporter Code (IEC) is enclosed.	No.The Firm has informed that IEC shall be obtained immediately after getting LOA.
	v.	Whether, a copy of Certificate issued by MCA mentioning therein the CIN of Company is enclosed.	No
	vi	Whether, a copy of GST Reg. Cert. is enclosed.	No. The Firm has informed that the Firm shall be applied for obtaining GST Registration immediately after getting LOA .
	vi i	Whether, E-mail address of the Company/Firm is given.	Wbtrading22@gmail.com
	vi ii	Whether, self-certified copy of lease deed in support of Registered/Head Office address of the applicant Company/Firm is attached.	Yes, 438, 3/B, Adipur, Gandhidham, Kachchh, Gujarat-360490
	ix .	Whether, the Registered/Head Office address falls under the jurisdiction of FSEZ	NO
	x	The Name of State under which the Registered/Head Office address falls.	GUJARAT
6.	i.	Whether, Promoters/Directors bio-data (incorporating their background, professional qualification and experience etc) is given.	Proprietor's Bio data submitted
	ii.	Whether copies of Residential address/ Identity proof of Directors/Promoters of the Company/Firm are enclosed.	Copy of Aadhar submitted. Address showing in Aadhar: Plot -438, 3/B, Adipur, Gandhidham, Kachchh, Gujarat-370205 [Aadhar No. 479422130391]
	Passport: (PP No.-) (Required, if having those.)		No
	PAN Card: (PAN No-) (Compulsory)		PAN of the proprietor given [ATVPK1508R]

	Ration Card:(RC No.)(Required, if having those.)	No
	Aadhar: [Aadhar No Address: State:]	Copy of Aadhar submitted. Address showing in Aadhar: Plot -438, 3/B, Adipur, Gandhidham, Kachchh, Gujarat-370205' [Aadhar No. 479422130391]
	Voter ID:(EIC No.)(Required, if having those.)	No
	Driving Licence:(DL No.....) (Required, if having those.)	No
	Email: (Compulsory)	wbtrading22@gmail.com
	Mob.No. (Compulsory)	7211110008
	Telephone No.	91-24-7211110008
	iii . Whether, DINs of Directors are mentioned therein the Application and other relevant documents.	It's a Proprietorship Firm.
	iv Whether, the Authenticated documents showing the current Shareholding details of applicant Company/ Firm are given. Whether FDI is there	It's a Proprietorship Firm.
7.	i. Whether, copies of IT returns for last three years - along with annexures/computation sheet) in respect of all Directors/ Partners/Proprietor, as the case may be are enclosed, in case of New Company/Firm.	IT Return acknowledgement for the Assessment Year 2018-19, 2019-20,2020-21, 2021-22 & 2022-23 submitted.
	ii. Whether, copies of COMPLETE audited Balance Sheet of the Company/Firm for last three years are enclosed, if a Company/ Firm is already incorporated/ working. (Financial status of Directors/ Proprietors should be sound.)	No. However, the IT acknowledgement receipts for the FY 2022-23 and Balance Sheet and PL A/C of M/s. Green Ploy Plast Industries, another firm of the same Proprietor has been submitted.
	iii . Whether, there is any mentioning of any exemption from Income Tax Deptt. is being claimed, the details under which section and whether the Income Tax Deptt. has disallowed exemption at any time. (May be sought from the Unit in due course.)	NO as mentioned in their letter dated 12.06.2023
	iv . Whether there is mentioning of any penalty imposed by the Income Tax Deptt and whether the complete details have been submitted. (May be sought from the Unit in due course.)	No
8.	i. Whether, Company / Firm Profile & Vision is given.	The firm has mentioned in their letter dated 12.06.2023 that, the proprietor of the proposed firm is the partner of M/s. Green Ployplast Industries (a Unit of

						KSEZ). The firm's vision is to capture the overseas market of ASEAN Countries by setting trading unit at FSEZ.			
ii.	Whether, Complete/Detailed Project Report incorporating information on the project & giving therein feasibility report,Flow-Chart including details on which basis export projections have been worked out.					Project Report Given.			
iii .	Whether, there are mentioning of in the application about-								
	a.	Manufacturing/Services					TRADING		
	b.	ITC (HS) Code proposed activities					Details as per Annexure.		
	c.	Proposed Flow Chart					No		
	d.	Cost of the project and means of finance with break up details					No		
	e.	Project Prorfitability					No		
	f.Foreign Exchange Balance Sheet								
		Year	1 st yr Rs In lakh	2 nd Yr. Rs In lakh	3rd Yr. Rs In lakh	4 th Yr. Rs In lakh	5 th Yr. Rs In lakh	Total Rs In lakh	
		FOB Value of Export	750.00	900.00	1125.00	1500.00	2250.00	6525.00	
		FE Outgo	540.00	558.00	702.00	945.00	1620.00	4365.00	
	NFE	210.00	342.00	423.00	555.00	630.00	2160.00		
g.	Project Cost: Capital Goods, Working Capital, Raw Material & Man Power with other administrative cost					--			
iv .	Whether the proposal is showing the value addition earning.					It is a trading unit			
v.	Whether, a separate list of export and import item with their ITC(HS) Codes and raw material with cost break up corresponding to the requirement shown in Application. (It is required to be submitted)					List of Material & Component (Imported and Indigenous) has been mentioned in their Project Report			
vi .	Whether, a separate lists of imported & indigenous capital goods and raw material with cost break up corresponding to the requirement shown in application.					List of Material & Component (Imported and Indigenous) has been mentioned in their Project Report			
vi i.	Whether, a copy of Buy-back agreement/marketing tie up/orders received, if any, is enclosed.					---			
vi ii.	Whether, any details of transaction with sister concerns raising issue of transfer pricing, if any, are given.					The Proprietor is having a Unit at Kandla SEZ under partnership and the said Unit is in full operation now.			
ix .	Whether, the total years of operations and in which line of business are given.					The proprietor along with the sister concern are in operation for more than			

			10 years in trading of dry fruits, chemicals, plastics and leather items.
	x.	Whether, a copy of details of present activities of the applicant Company/Firm is enclosed.	--
	xi a.	Whether the Bank Details with Account Number of the Company/ Firm has been submitted with authenticated documents. [Bank details & A/C No. with authenticated documents]	Kotak Mahindra Bank Ltd. Gandhidham, No.401414419
	b.	Whether, AD Bank Details with Current Account has been submitted with authenticated documents. (Authenticated document has to be ensured before accepting BLUT.)	No
	xi i.	Whether, the details of Investment have been given. [Authorised:Rs.....; Subscribed:Rs.....- & Paid up Cap:.....] (Whether the Company is a Listed/Unlisted Company)	It's a Proprietorship Firm.
	xi ii.	Whether, a copy of sanction letter/provisional approval letter from Bank/Financial Institution in support of the Loan/ Financial Assistance, if any, for the proposed project is enclosed. (Match the Project Cost with the documents supporting financially soundness of existing Company/Directors/Proprietors.)	The proprietor shall avail the bill discount limit after export, which is very much secured loan. The proprietor is in touch with SBI and BOB. [as per their submission dated 12.06.2023]
	xi v.	Whether the proposal meets with the Positive NFE	As Foreign Exchange Balance Sheet
	x v. a.	Whether a copy of Memorandum & Articles of Association (M&AoA) in case of Pvt. Ltd. or Ltd. Company is enclosed.	No
	b.	Whether, a copy of Board Resolution (also giving the specimen signature of authorized director/person) in case of company and copy of power of attorney/authority in case of partnership firms is enclosed.	No
	c.	Whether, a copy of Form-32/D.I.R.-12 of appointment of Directors (other than the first Directors as mentioned in M&AoA) of company. In case of cessation of first Director(s), Form-32/D.I.R.-12 showing their cessation may also be submitted. (Required to be submitted along with the Application)	No
	d.	Whether, a copy of Registered Partnership deed in case of partnership Firm.	No

9.	i.	Whether, the Name/Din of said Directors/Promoters are therein the Fraudulent List of Unit. If Yes, please give the details.	It's a Proprietorship Firm.
	ii.	Whether the Name/Din of said Directors/Promoters are same for another Unit in FSEZ. If Yes, please give the details.	---
	iii.	Whether, it is confirmed that the Name/Din of said Directors/Promoters are same for another Unit in other SEZ. If Yes, please give the details.	----
	iv.	Whether, the IEC of the Company is in the Denied Entity List (DEL) of DGFT.	Firm mentioned that no IEC has been obtained yet.
	v.	Whether then applicant or any of the Partner/Director who are also Partners/Directors or another company or firm its associate concerns are being proceeded against or have been debarred from getting any license/letter of Intent/Letter of Permission under Foreign Trade (Development and regulation) Act, 1992 or Foreign Exchange Management Act, 1999 or Customs Act, 1962 or Central Excise Act, 1944 (Refer Para XII(ii) or FORM 'F' of SEZ Rules, 2006. (A Legal Undertaking may be obtained in due course.)	NA

DETAILS OF TRADING ITEMS ALONGWITH ITC (HS)CODE [AS PER Online Application]

Sl.No.	Items (s) Description	ITC (HS) Code	Units
01	Paper	48025690	200.00 MT
02	Stationary Items	48201010 to 48209090	100000.00 sets
03	Hardware Items	83024190	200 MT
04	Readymade Garments	62159090	500000.00 Sq. Mtr.
05	Paints and Varnish	32099090	100.00 Kilo Litres
06	Titles	69072300	5000000.00 Sq.mtr
07	Aluminum Foil	76071190	100000.00 sq.mtr.
08	Indian Grocery Cumin/Jeera Etc.	09103090	100.00 MT
09	Betel Nut Powder	21069030	
10	Betel Nut	08028010 08028020 08028030 08028090 08028010 08029000	
11	All types of Reprocessed Plastic Granules, off grade Granules, Off grade Granules and Floor Sweeping Granules	39010010 to 39040090	1000.00 MT
12	Food Supplements	21061000	50.00 MT
13	Dry Dates	08041010	50.00 M.Tons
14	Wet Dates	08041010	50.00 MT

15	Aluminum Mirror	70091090	200000.00 pieces
16	Automobile Parts	87141010 to 87149990 and 87081010 to 87089900	100 MT
17	Coconuts, Brazil Nuts and Cashew Nuts, Fresh or dried, whether or not shelled or peeled	08011100 to 08029000	25 M.Tons
18	Other Nuts, Dried, whether or not shelled or peeled almonds, hazel nuts, walnuts, chestnuts, pistachios, macadamia nuts, cola nuts.	08021100 to 08029000	25.00 M. Tons
19	Rock Salt	25010020	500.00 MT
20	Black Salt	25010090	500.00 MT
21	Chocolates	18069010	500.00 MT
22	Footwear	64021990	200000.00 Dozens
23	Cosmetics	33049990	100.00 Kilo Litres
24	Skin Care Product	33072000	100.00 Kilo Litres
25	Deodorants	33072000	100.00 Kilo Litres
26	Mens'sCavas Shoes	64029990	100000.00 Dozens
27	Other Footwear	64051000 to 64059000	100000.00 Dozens

MANIKANCHAN SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.9

Subject:- Request by M/s. Evique Jewels Pvt. Ltd., a manufacturing unit of Manikanchan SEZ, for including ‘manufacturing services’ in their LOP to provide the services to M/s. Icebox Inc, an Overseas entity from the premises of M/s. Evique Jewels Pvt. Ltd. in Manikanchan SEZ – regarding

M/s. Evique Jewels Pvt. Ltd., a manufacturing unit of Manikanchan SEZ, holding LOP No.MKSEZ/LIC/E-2/2022/1103 dated 02.08.2022, vide email dated 19.07.2023 enclosing a letter dated 19.07.2023 requested this office for inclusion of ‘manufacturing services’ in their LOP for providing such services to M/s. Icebox Inc, an Overseas entity from the premises of M/s. Evique Jewels Pvt. Ltd., in terms of Rule 18(6) of SEZ Rules, 2006.

They have stated that their main overseas buyer, M/s. Icebox Inc., 3255 Peachtree Road, Suite 2, Atlanta, GA 30305, had requested them to provide full manufacturing services for manufacturing of items mentioned in their LOP from the premises of M/s. Evique Jewels Pvt. Ltd., in Manikanchan SEZ. M/s. Icebox Inc. will be providing the raw materials like Gold Bar and semi-finished goods like Steel Watches, Straps free of cost. The finished goods shall be exported out of the country to the Overseas entity M/s. Icebox Inc. M/s. Evique Jewels Pvt. Ltd., shall receive the consideration/ value addition for its manufacturing services in foreign exchange directly from the said Overseas Entity.

They have further mentioned that they would like to file their Bill of Entry mentioning the raw materials received from M/s. Icebox Inc. as “received from Overseas Entity on free of cost basis” and their Shipping Bill and Invoices mentioning “Consideration Value/ Value Addition on raw materials received from Overseas Entity”. They have further submitted that they would be maintaining a proper accounts of all raw materials received from the Overseas Entity M/s. Icebox Inc. and quarterly report of the stock of raw materials along with Foreign Exchange realization (eBRCs) of the manufacturing/value addition services will be submitted to the Specified Officer, Customs, Manikanchan SEZ. **They have also submitted that M/s. Evique Jewels Pvt. Ltd. will not be manufacturing for any other Overseas Entity except for M/s. Icebox Inc.**

3. In this context, it may be stated that in terms of **Rule 18(6) of SEZ Rules, 2006**, Units may be set up for providing manufacturing services to Overseas Entities subject to the following conditions:-

- i) raw materials including consumables, sub-assemblies, components, semi-finished goods shall be supplied by the Overseas Entity free of cost;

- ii) finished goods shall be exported out of the country, provided that any supplies of finished goods shall be as per the instructions of the Overseas Entity.
- iii) the Unit shall receive the consideration for its manufacturing services in convertible foreign exchange directly from the said Overseas Entity.
- iv) in case the manufacturing facility is used by the Unit for carrying out production on its own account, separate accounts shall be maintained for the manufacturing and service activity.

4. In view of the above, the matter is placed before UAC for consideration of the request of M/s. Evique Jewels Pvt. Ltd. to provide manufacturing services to M/s. Icebox Inc. 3255 Peachtree Road, Suite 2, Atlanta, GA 30305, an Overseas Entity for manufacturing of the items included in their LOP, in terms of Rule 18(6) of SEZ Rules, 2006 subject to the following:-

- i) the unit shall submit complete KYC documents of the Overseas Entity i.e. M/s. Icebox Inc. 3255 Peachtree Road, Suite 2, Atlanta, GA 30305 to this office
- ii) list of raw materials to be supplied by M/s. Icebox Inc., the Overseas Entity, free of cost to M/s. Evique Jewels Pvt. Ltd., to be intimated to the Specified Officer.
- iii) the Unit shall receive the consideration for its manufacturing services in convertible foreign exchange directly from the said Overseas Entity.
- iv) Capital goods may be supplied by Overseas Entity on loan/ lease basis, provided the notional value of such capital goods shall be taken into account for calculation of NFE under Rule 53
- v) the unit shall maintain proper accounts of all raw materials received from the Overseas Entity, M/s. Icebox Inc. and quarterly report of the stock of raw materials along with Foreign Exchange realization (eBRCs) of the consideration/value addition services shall be submitted to the Specified Officer, Customs, Manikanchan SEZ.
- vi) the unit shall submit a Notarized Undertaking that M/s. Evique Jewels Pvt. Ltd. will not be manufacturing for any other Overseas Entity except for M/s. Icebox Inc., 3255 Peachtree Road, Suite 2, Atlanta, GA 30305
- vii) the manufacturing facility shall not be used by the Unit for carrying out production on its own account. In case, the unit wants to utilize the unit for production on its account, separate permission may be sought from the Development Commissioner.

MANIKANCHAN SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.10

Subject: Cancellation of LOA of M/s. Modern International, a manufacturing unit in Manikanchan SEZ for non-performance & non-utilization of space by the Unit allotted by WBIDC – regarding

M/s. Modern International, a Gem and Jewellery manufacturing Unit in Manikanchan SEZ, was issued LOP No.MSEZ/LIC/M-1/2003/10683 dated 13.01.2004, which is non-functional for a long period of time. The validity of LOA got expired on **15.10.2019** and no application regarding extension of LOA was initiated by the Unit till date.

The matter of non-performance of the Unit and non-submission of APRs by the unit for the FY 2016-17, 2017-18, 2018-19 and 2019-20 was placed before the 113th UAC held on 17.06.2019, 125th UAC held on 29.12.2020 and 126th UAC held on 25.01.2021. As per decision taken in 126th UAC held on 25.01.2021, **a Show-Cause Notice dated 10.02.2021 was issued** to the Unit mentioning that **why LOA should not be cancelled for violation of provisions in terms of Section 16 of enacted SEZ Act 2005 and SEZ Rules, 2006 and penalty should not be imposed under FT(D&R) Act, 1992 for contravention of SEZ Act, 2005 & SEZ Rules 2006.** In response, the Unit vide letter dated 10.03.2021 submitted respective APRs for the period 2016-17, 2017-18, 2018-19 and 2019-20. The performance of the unit in the last 6 (six) years is as given below:-

FY	FOB Value of Export (Rs. in Lakhs)	Imported Raw Material consumed during the year	Amortised Value of Capital Goods	Total Outflow	NFE
2014-15	1109.00	1087.00	0.00	1087.00	22.00
2015-16	2454.00	2402.00	0.00	2402.00	52.00
2016-17	0.00	0.00	0.00	0.00	0.00
2017-18	0.00	0.00	0.00	0.00	0.00
2018-19	0.00	0.00	0.00	0.00	0.00
2019-20	0.00	0.00	0.00	0.00	0.00

Earlier, to adjudicate the SCN dated 10.02.2021, the Unit was also requested vide this office letter dated 16.08.2021 and 22.09.2021 to appear for Personal Hearing before Development Commissioner, FSEZ. However, no representative from the Unit appeared before the Development Commissioner. Subject issue was again submitted as Agenda item No. (7) in **152nd UAC meeting held on 30/11/2022** and after due deliberation, the committee decided to accord the Director/ Representative of the Unit, one last opportunity for Personal Hearing communicated vide this Office Lr. No. MKSEZ/LIC/M-1/04/2231 dated 28/11/2022

on 30/11/2022. ShriKetanDoshi, Director appeared before the then Deputy Development Commissioner, Shri Lakshmi KantaHalder on 26.12.2022, where the Director intimated vide their letter dated 22.12.2022, that their LOP may be cancelled after March, 2023, as they are waiting for the new EXIM policy to come into force. Till date, the unit has not applied for extension of LOP.

In view of above and as per BOA's direction(s) to cancel the LOAs of the units which expired for more than 2 (two) years, matter is placed before the 165th UAC meeting for considering cancellation of the unit's LOA as per provision of Section 16 of SEZ Act 2005.

MANIKANCHAN SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.11

Subject: Cancellation of LOA of M/s. SCG Exports Private Limited, a manufacturing unit in Manikanchan SEZ for non-performance & non-utilization of space by the Unit allotted by WBIDC – regarding

The LOP was issued vide LOP No.MKSEZ/LIC/S-1/2006/359-369 dated 26.09.2006 to M/s. **SCG Exports Private Limited**, a Gem and Jewellery manufacturing and Export Unit located at Module No. 4NW in Manikanchan SEZ, which is non-functional for a long period of time. The validity of LOA got expired on **07/02/2018** and no application regarding extension of LOA was initiated by the Unit till date. The APR(s) for FY 2016-17 & 2017-18 as submitted by the Unit was placed before 116th meeting of the UAC held on 09.09.2019 wherein, the Committee decided to seek clarification from the Unit vide letter dated 23.09.2019 regarding their non-performance during the FY 2017-18. As no reply was received, the matter was once again placed in 128th UAC, held on 11.05.2021 and as decided therein, a Show-Cause Notice dated 31.05.2021 was issued to the Unit mentioning that why LOA should not be cancelled for violation of provisions in terms of Section 16 of enacted SEZ Act 2005 and SEZ Rules, 2006 and penalty should not be imposed under FT(D&R) Act, 1992 for contravention of SEZ Act, 2005 & SEZ Rules 2006.

Earlier, to adjudicate the SCN dated 31.05.2021, the Unit was requested vide this office letters dated 16.08.2021 and 22.09.2021 to appear for Personal Hearing before Development Commissioner, FSEZ. However, non-appearance of any representative from the Unit in both cases, induced this Office to call the Unit again for a Personal Hearing on 06.06.2023, vide this office letter dated 31.05.2023 and therein the representative from the Unit had appeared and committed to furnish suitable reply to the SCN within seven (07) days (i.e.13/06/2023).Same has not been received till date.

Further, Bank of India has issued a Possession Notice under SARFAESI Act, 2002 on 08.08.2022 stating that M/s. SCG Exports has failed to pay a Demand Notice of Rs.289.40 Crores.

In view of the above and as per BOA's direction to cancel the LOAs of the units which expired since two years or more, matter is be placed before the 165th UAC for considering cancellation of LOA of the Unit as per provision of Section 16 of SEZ Act 2005.

CANDOR KOLKATA ONE HI-TECH STRUCTURES PVT. LTD.IT/ ITES
SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.12

Sub: Request by M/s Candor Tech Space for approval to open of Gift & Card Shop of ARCHIES Ltd.services in SEZ under the provision of Rule 11(5) of SEZ Rule 2006 at Candor IT/ITeS SEZ, New Town, Rajarhat,Kolkata - regarding

M/s Candor Tech Space IT/ITeS SEZ has requested vide letter no CKOHSPL/05/2023/001 dated 01/05/2023 for setting up Gift & Card Shop of Archies Ltd in the premises of Candor SEZ. In this connection, M/s Archies Ltd. is interested to open shop admeasuring 870 sq. ft. at Ground Floor Lift Lobby, Tower A-III of Candor IT/ITeS SEZ.

M/s Candor IT/ITeS SEZ has no objection to allocate the said space for services for unit's employees.As per Rule 11(5) of SEZ Rules 2006, the Developer may with the prior approval of Approval Committee grant on lease land or built up place for creating facilities as may be required for the exclusive use of the unit.

Hence, the matter is placed before the Unit Approval Committee for a discussion/decision.

CANDOR KOLKATA ONE HI-TECH STRUCTURES PVT.LTD. IT/ ITES
SPECIAL ECONOMIC ZONE

165th UAC meeting to be held on 28th July, 2023

Agenda No.13

Sub:-Request for extension of validity of M/s Capgemini Technology services India Ltd having LoA SEZ/LIC/C-1/2007/4236 dated 20/12/2007 for a further period of Five years w.e.f 11/08/2023.

M/s Capgemini Technology services India Ltd, a unit located in Candor IT/ITES SEZ, engaged in service of IT/ITES has requested vide letter dt 15/06/2023 for renewal of LOP/LOA No. SEZ/LIC/C-1/2007/4236 dated 20/12/2007, for a further period 4th Block of 05 years under Rule 19(6A)(1) of SEZ Rules,2006 w.e.f 11.08.2023 to 10.08.2028. The details of the unit are as follows :-

1.	Name of the Unit	M/s. M/s Capgemini Technology services India Ltd					
2	Name of the Directors	BaruSreeniwasRao, Gilles Taldu, Huber Giraud					
3	Registered Office Address	14,Rajiv Gandhi InfotechPark,Hinjewadi Phase-III,MIDC-SEZ Village,TalMulshi,Pune(Maharashtra-411057					
4	Location of the Unit	1stFloor,Block-DH,Plot No- DH-1,DH-2,DH-3 & DH-3/1,Candor Tech Space IT/ITeS SEZ, New Town Rajarhat, Kolkata-700156					
5	Letter of Permission No& Date	SEZ/LIC/C-1/2007/4236 dated 20.12.2007					
6	Items of manufacture as per LOP dated 14/03/2017	IT/ITeS services					
7	Subsequently any items included, if any.	No					
8	Date of Commencement of Commercial Production	13/08/2008					
9	LOP valid up to	10/08/2018					
10	APR monitored upto	2021-22 , achieved NFE (+)					
11	Block to be monitored	5 th Year 2022-23 of 3rd Block					
12	Request for further extension	Another Five years w.e.f 11/08/2023					
13	FOREX Balance Sheet for the Current Block (Rs. In lakhs)	2018-19	2019-20	2020-21	2021-22	2022-23	
		1 st	2 nd	3 rd	4 th	5 th	Total
	Free on Board value of Export in first five years	31485	32430	33402	34405	35437	167159
	Foreign Exchange Outgo	1759	1859	1987	2320	2272	10197

	on for the first five years						
	New Foreign Exchange Earnings for the first five years(1-2)	29726	30571	31415	32085	33165	156962
14	FOREX Balance Sheet Proposed for the next Block (Rs. In lakhs)	2023-24	2024-25	2025-26	2026-27	2027-28	
		1st	2nd	3rd	4th	5th	Total
	Free on Board value of Export in first five years	50323	51833	53388	54990	56639	267173
	Foreign Exchange Outgo on for the first five years	3816	3292	3669	3349	3432	17558
	New Foreign Exchange Earnings for the first five years(1-2)	46507	48541	49719	51641	53207	249615

The details of Investment & Employment as submitted by the unit are as under.

Sr. no	Activity of the Unit		Existing	Proposed for the renewal period
1	Investment in Capital Goods (in Rs Lakh)	Indigenous	1350	3100.00
		import	1650	4200.00
2	Investment in Raw material (in Rs Lakh)	indigenous	0.00	0.00
		import	0.00	0.00
3	Value of Input Service	indigenous	760	7000.00
		import	0.00	0.00
4	Employment	Men	1345	1914
		Women	813	1276

Further, **M/s Capgemini Technology services India Ltd**, has not submitted APR for 2022-23 and requested for renewal of LOA No. SEZ/LIC/C-1/2007/4236 dated 20/12/2007 for a further period 4th Block of 05 years i.e. from 11/8/2023 to 10/08/2028 under Rule 19(6A)(1) of SEZ Rules, 2006 .

Hence, the matter is placed before the UAC for a discussion and decision please.

DLF PVT. LTD.IT/ITES SPECIAL ECONOMIC ZONE**165th UAC meeting to be held on 28th July, 2023****Agenda No.14**

Sub:-Intimation of Change of Name of Directors in r/o M/s. Ericsson India Global Services Pvt. Ltd., a unit in DLF Ltd. IT SEZ

M/s. Ericsson India Global Services Pvt. Ltd. has intimated the Change of Directors of their Company in DLF Building, in DLF IT Park II, DLF SEZ, Rajarhat, Kolkata 700 156.

In this connection, the following documents have been received by this office:-

- a. Copy of DIR-11/12 for Cessation of directorship of a) Mr Debasis Roy Choudhury, b) Mr. Mats Robert Agervi and c) Mr Amitabh Ray.
- b. Copy of DIR-11/12 for appointment of Mr Rajesh Gupta along with his Passport and PAN Card.
- c. List of directors as on date

The name of Directors has been verified through MCA portal.

Hence the matter is placed before the UAC for consideration please.