



भारतसरकार/Government of India

फलताविशेष आर्थिक क्षेत्र/FALTA SPECIAL ECONOMIC ZONE

वाणिज्यविभाग/Department of Commerce

वाणिज्यऔरउद्योगमंत्रालय/Ministry of Commerce & Industry

निजामपैलेस, दूसराएमएसओभवन, चौथीमंजिल/Nizam Palace, 2nd MSO
Building, 4th Floor234/4 एजेसीबोसरोड, कोलकाता-700 020/ 234/4 AJC Bose Road, Kolkata-
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Falta SEZ

F.No. 1(67)162nd UAC/2023

Dated:- 05.06.2023

Subject: Minutes of 162nd meeting (6th Meeting of the 2023 Series) of the Unit Approval Committee , Falta SEZ held on 31.05.2023- regarding

Minutes of 162nd meeting (6th Meeting of the 2023 Series) of the Unit Approval Committee constituted in terms of Section 13 of Sub Section 1 of the Special Economic Zone Act, 2005 held on 31.05.2023 at 4.00 P.M. in the chamber of Development Commissioner, Falta Special Economic Zone, 4th floor, 2nd MSO Building, Nizam Palace, 234/4, AJC Bose Road, Kolkata-700020 through Hybrid Mode regarding Falta SEZ, Manikanchan SEZ, Candor Kolkata One Hi-tech Structures Ltd. IT/ITES SEZ, Wipro Ltd. IT/ ITES SEZ and DLF Ltd. IT/ITES SEZs. List of participants is enclosed at Annexure-I.

2. Shri Satish Kumar, Zonal Development Commissioner welcomed all the members present in the meeting and requested Shri Abhishek Sanyal, Dy. Development Commissioner, Falta SEZ to place the agenda before the Committee for discussion.

3. Item wise discussed and decisions taken were as under:

Agenda Item No.A&B: Ratification of the minutes of 161st UAC meeting held on 27.04.2023.

Minutes of the 161stUAC 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: Request for inclusion of additional items viz. HS Code No.8583 9000 and 7419 8090 in the existing LOP No. FSEZ/LIC/P-28/2003/1314 dated 22.05.2003 of M/s. Patton International Ltd., Falta SEZ, Falta in addition to the existing items of manufacture and export-regarding

Request of the Falta SEZ unit M/s Patton International Ltd for inclusion of additional items viz. HS Code No.8583 9000-Other under broad heading "Parts suitable for use solely or principally with the apparatus of headings 8535,8536 and 8537" and HS Code No. 7419 8090-Other Articles of Copper in their existing LOP No. FSEZ/LIC/P-28/2003/1314 dated

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22.05.2003, in addition to the existing items of manufacture and export, was discussed and examined in detail by the committee. Mr. Sumit Goel, authorized representative of the unit physically appeared before the committee during the course of discussion and requested to consider their proposal.

After deliberation, the committee approved inclusion of the additional items in the LOP No. FSEZ/LIC/P-28/2003/1314 dated 22.05.2003 of M/s. Patton International Ltd. in terms of Rule 19(2) of SEZ Rules, 2006.

Agenda Item No.2: Request for inclusion of 'Trading Activity' of the items viz. HS Code No. 39021000 - Polypropylene Granules and 39011010 - LLDPE Granules in the existing LOP No. FEPZ/LIC/S-45/1999/4493 dated 10.08.1999 of M/s. Sai Industries Ltd., Falta SEZ, Falta in addition to the existing items of manufacture and export- regarding

Request of the Falta SEZ unit M/s Sai Industries Ltd for inclusion of 'Trading Activity' for the items viz. HS Code No. 39021000 - Polypropylene Granules and 39011010 - LLDPE Granules in their existing LOP No. FEPZ/LIC/S-45/1999/4493 dated 10.08.1999 was discussed in detail by the committee. Mr. Anand Jeloka, Director physically appeared before the committee and requested to consider their proposal.

On being asked by the committee to state whether they will import the subject items or procure it from DTA, the unit clarified that they would entirely import the items for hundred percent export.

The Committee noted that during the month of May 2023 the unit had been granted a onetime permission for such trading, as an interim measure, to enable them meet an urgent export order for LLDPE granules.

After deliberation, the committee approved inclusion of 'Trading Activity' of items bearing HS Code No. 39021000 - Polypropylene Granules and 39011010 - LLDPE Granules in the unit's LOP No. FEPZ/LIC/S-45/1999/4493 dated 10.08.1999 in terms of rule 19(2), rule 22(2) of SEZ Rules 2006 and para 2(z) iii. of SEZ Act 2005 read with rule 76 of SEZ Rules 2006, with the following conditions:

- a) Manufacturing and trading activities will be considered separately for NFE purpose.
- b) Separate area has to be earmarked for manufacturing and trading activities.

Agenda Item No.3: 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.

Request of the Falta SEZ unit M/s. Alps Overseas Pvt. Ltd. for setting up a new warehousing unit at the zone was discussed and examined by the Committee. Mr. Shobhit Shaikhar, Director physically appeared before the committee on behalf of the unit and requested to consider their proposal.

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Committee noted that the unit is presently having a plastic recycling unit at Falta SEZ and its Letter of Approval (LOA) has not been renewed. This has been challenged by the unit in court and the matter is presently sub-judice before the Hon'ble High Court, Calcutta.

The Committee noted that, the unit wants to set up the new warehousing facility in their existing place. The unit apprised the committee that they will maintain separate account and demarcation has been made for warehousing purpose.

The unit informed that, they will do the warehousing activities with DTA units and all their transactions will be in Indian National Rupee (INR). When asked by the committee how they will achieve NFE as a SEZ warehousing unit, the unit could not clarify properly.

Committee noted that,

- i. As per Rule 18 (5) of SEZ Rules 2006, units in FTWZ or Units in FTWZ in other SEZ shall be allowed to hold the goods on account of the foreign supplier for dispatches as per the owner's instructions and shall be allowed for trading with or without labeling, packing or re-packing without any processing. AND
- ii. As per Para 2(z) iii. of SEZ Act 2005 read with rule 76 of SEZ Rules 2006, warehousing activities have to earn foreign exchange.

In view of above and after due deliberation, the committee decided to keep the proposal in abeyance.

Agenda Item No.4: Request of M/s. Midas DFS Pvt. Ltd., a Trading Unit in Falta SEZ, Falta, South 24 Parganas for inclusion of items in LOA No. FSEZ/LIC/M-37/2004/388 dated 25.04.2005 for Warehousing activity and renewal of LOA beyond 16.03.2023 for 05 (five) years-regarding

Request of the Falta SEZ unit M/s Midas DFS Pvt. Ltd, a manufacturing and trading unit, for renewal of their LOA No. FSEZ/LIC/M-37/2004/388 dated 25.04.2005 for five years w.e.f. 16.03.2023 and inclusion of warehousing activity & new items in the LOA was discussed and thoroughly examined by the Committee. Mr. Pranav Goenka, authorized representative of the unit, physically appeared before the committee and requested to consider their proposal.

The Committee noted that, the unit has not performed since 2018-19, despite their LOA getting renewed earlier and new items getting included in their LOA from time to time.

Specified Officer, Falta SEZ noted that, there is gross mismatch between customs figures and the unit's APR figures for the period 2016-17 to 2019-20. The unit could not clarify the mismatch.

The Committee noted that, the unit has an outstaying rent payment of Rs. 6,55,848/- as on 31.12.2022.

After due deliberation the Committee decided to renew the unit's LOA No.FEPZ/LIC/M-37/2004/388 dated 25.04.2005 only for 2(two) years w.e.f. 17.03.2023 with existing

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product line, and with a strong direction to the unit to perform and earn NFE. The committee also directed the unit to immediately reconcile the customs data mismatch.

The other request of the unit i.e. inclusion of warehousing activity and new items in the LOA kept in abeyance.

Agenda Item No.5: Request for permission for re-export of raw materials to their international custodian in Kandla FTWZ by M/s Esscom Trade INC, a manufacturing unit in Falta SEZ -regarding.

Request of the Falta SEZ unit M/s Esscom Trade INC, for permission to re-export their raw materials to United Arab Emirates (UAE) was discussed and thoroughly examined by the Committee. ShriJ. Gupta, authorized representative of the unit physically appeared before the committee and requested to consider their proposal.

The Committee noted that, earlier the matter was discussed by 156th UAC wherein permission for inter-SEZ transfer of the raw materials, from Falta SEZ to Kandla FTWZ, was granted in terms of Rule 38 of SEZ Rules 2006 subject to certain conditions.

Now the unit vide email dated 26.05.2023 intimated that their earlier application for inter-SEZ transfer of the raw materials from Falta SEZ to Kandla FTWZ stands withdrawn due to delay in execution and permission may be granted for shipment of said goods to Jebel Ali Port, UAE as directed by their Consigner, at the earliest, considering the nature of product being perishable in nature.

After due deliberation the Committee agreed to the request of the unit for re-exporting the goods to UAE in terms of rule 34 of SEZ Rules 2006, subject to compliance of customs formalities.

Agenda Item No.6: Agenda withdrawn on request of the developer M/s Candor IT/ITeS SEZ, Kolkata.

Agenda Item No.7: Request for extension of validity of LoA No. SEZ/LIC/C-13/2017/5593 dated 14.03.2017 of M/s. Cognizant Technology Solutions India Pvt. Ltd. having LoA No. SEZ/LIC/C-13/2017/5593 dated 14.03.2017 for a further period of 05 (five) years w.e.f. 16.07.2023-regarding

The request for extension of validity of LoA No. SEZ/LIC/C-13/2017/5593 dated 14.03.2017 of M/s. Cognizant Technology Solutions India Pvt. Ltd. for a further period of 05 (five) years w.e.f. 16.07.2023 was discussed and examined in detail by the Committee. Mr.K.Parthasarathy represented on behalf of the unit through Video Conferencing and requested their proposal for consideration.

The Committee noted that the unit has been monitored upto F.Y 2021-22 and has achieved positive NFE. The Unit stated that they are expecting a FOB value of Exports of Rs.151327.00(Rs. In lakhs)in 2nd Block, and their Employment will increase by 332 people.

After deliberation, the committee decided to renew the unit's LOA No.SEZ/LIC/C-13/2017/5593 dated 14.03.2017 for another 05 (five) year w.e.f. 16.07.2023.

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. ADA Software	Candor Kolkata One Hi-Tech Structures Ltd. IT/ ITES SEZ	2022-23	(+) NFE taken note of.
2.	M/s. Midas DFS Falta SEZ 2017	Falta SEZ	2017-18 to 2021-2	NIL performance noted. Unit has been asked to explain the cause.

This issues with the approval of Zonal Development Commissioner.

e-Sd/-

(Abhishek Sanyal)
Deputy Development Commissioner &
Head of Office

File No. 1(67)/162ndUAC/2023

Dated 05/06/2023

Copy forwarded to for information and necessary action to:-

1. The Joint Commissioner,
Office of the Principal Chief Commissioner,
Central Goods Service Tax and Central Excise, Kolkata Zone,
Central CGST Bhavan (2nd Floor),
180 Shantipally, R.B. Connector, Kolkata-700 107.
2. Smt. Dona Ghosh, Jt. DGFT
Office of the Additional Director General of Foreign Trade,
Government of India, 4, Esplanade East
Kolkata- 700069
3. Shri S.Bhattacharya,
Advisor Project
WBIDC, 23, Camac Street,
5th Floor, Kolkata-700 017
4. ShriBappaditya Banerjee,

Signed by Abhishek Sanyal
Date: 05-06-2023 10:28:26
Reason: Approved

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Assistant Commissioner of Customs,
Air Cargo Complex,
NetajiSubhas Bose Airport, Kolkata-700 052

5. ShriSubrataGhosh,Chief Engineer
West Bengal Pollution Control Board, Govt. of West Bengal
Deptt. Of Environment, ParibeshBhawan
10A, Block-LA, Sector-III,
Bidhannagar, Kolkata-700 106.
6. Shri T.K. Biswas, Executive Engineer
West Bengal Pollution Control Board,
Govt. of West Bengal,
Alipore Regional Office,
12,Biplabi Kanai LalBhattacharjeeSarani,
Minority Bhavan,
5th floor, Alipore, Kolkata-27
7. Smt. SarmisthaKundu
Environmental Engineer
Salt Lake R.O,
West Bengal Pollution Control Board
Mani Square, Block No. 81T, Western Side
8th floor,164/1, Manicktala Main Road,
Kolkata-700054
8. ShriInderveer Singh,
Assistant Commissioner, Kolkata South GST,
Central Goods Service Tax and Central Excise, Kolkata Zone,
Central CGST Bhavan (2nd Floor),
180 Shantipally, R.B. Connector, Kolkata-700 107
9. ShriSantoshJaiswal,
Assistant Commissioner, Kolkata North GST,
Central Goods Service Tax and Central Excise, Kolkata Zone,
Central CGST Bhavan (2nd Floor),
180 Shantipally, R.B. Connector, Kolkata-700 107
10. ShriAbhishekSanyal, Dy. Development Commissioner, Falta SEZ
11. ShriDebotoshChatterjee, Deputy Commissioner of Customs, Falta SEZ
12. ShriAjit Kumar Kispotta, Assistant Commissioner of Customs & Specified Officer,
IT &ITES SEZ
13. ShriPrasanta Kumar Panda, Assistant Development Commissioner, FSEZ
14. ShriSubhranil Bhattacharya, Assistant Development Commissioner, FSEZ
15. Smt. DebjaniGhosh, Assistant Development Commissioner, FSEZ
16. Shri Praveen Panda, Assistant Development Commissioner, FSEZ
17. ShriPradeepMohapatra, Assistant Development Commissioner, FSEZ

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18. ShriRanjitBasak, Assistant Development Commissioner, FSEZ
19. ShriSashiRanjan Sharma, Assistant Development Commissioner, FSEZ
20. ShriPartha Kumar Mondal, Assistant Development Commissioner, FSEZ

Annexure-I

THE FOLLOWING OFFICERS ATTENDED THE 162nd UAC MEETING HELD ON 31.05.2023 AT 4.00 P.M.

Sl. No	Name of the Officer	Name of the Office/Department
1.	ShriAbhishekSanyal	Dy. Development Commissioner, FSEZ
2.	ShriS.Bhattacharya Advisor, Project	WBIDC
3.	Smt. Dona Ghosh, Jt.DGFT	O/o Addl. DGFT
4.	ShriBipinAnand, Supdt. of Customs	Air Cargo Complex, Customs

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5	ShriAjit Kumar Kispotta, Assistant Commissioner of Customs	Candor Kolkata One Hi-tech Structures Ltd. IT SEZ
6.	ShriInderveer Singh , Assistant Commissioner	GST South Commissionerate
7.	ShriSantoshJaiswal, Assistant Commissioner	GST North Commissionerate
8.	ShriSubrataGhosh, Chief Engineer	WBPCB, ParibeshBhawan, Bidhannagar
9.	Smt. SarmisthaKundu Environmental Engineer	WBPCB, Salt Lake R.O. Office
10	Shi T.K. Biswas, Executive Engineer	WBPCB, Alipore Regional Office