



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
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F.No. 1(71)/169th UAC/2023

Date:13.11.2023

Subject: Minutes of 169th meeting (11th Meeting of the 2023 Series) of the Unit Approval Committee (UAC), Falta SEZ held on 08.11.2023 through Hybrid mode under the chairmanship of Shri Satish Kumar, Zonal Development Commissioner, Falta SEZ.

Agenda Item No. A&B: Ratification of the minutes of 167th UAC meeting held on 18.10.2023.

Minutes of the 167th UAC meeting was circulated to all the members of UAC. As no comments were received, the 169th UAC ratified the minutes and confirmed the same.

Agenda Item No.1: Application of M/s DAESANG Industrial Pvt. Ltd, for setting up of a new manufacturing unit at Falta SEZ, Falta, West Bengal.

Mr Taejoon Park, Director (a South Korean national) virtually represented the company before the Committee.

Committee considered the agenda under the light of Rule 18 of SEZ Rules 2006.

Committee observed that the application in Form F is in order. Committee noted, the item of export (Socks/ITC (HS) code: 61159500), projected Net Foreign Exchange earnings for five years amounting Rs 1664.00 lakhs, proposed investment (Foreign Direct Investment from South Korea) and KYC details of the company as provided in the application.

After deliberation, Committee approved the new unit application of M/s DAESANG Industrial Pvt Ltd for setting up the Manufacturing unit at Falta SEZ.

Agenda Item No.2: Request for inclusion of additional items in the existing LOP FEPZ/LIC/R-25/97/5596 dated 27.02.1997 of M/s Robinson International Pvt Ltd, Falta SEZ, Falta in addition to the existing items of manufacture and export.

Shri Bhanu Mahajan physically represented the unit M/s Robinson International Pvt Ltd before the Committee.

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Committee considered the agenda under the light of First Proviso of Rule 19 of SEZ Rules 2006.

Committee observed, that the items are not in the list of restricted/prohibited items. It was further observed that,

- i. The unit has not yet submitted the Annual Performance Report for FY 2022-23.
- ii. The unit is making only DTA sales and not making any exports, since FY 2021-22, which is not in accordance to the objective of SEZ scheme.

After deliberation, the Committee approved inclusion of the items in the Letter of Approval, subject to the following conditions:

- i. The unit has to submit the pending Annual Performance Report of FY 2022-23 by the end of November 2023.
- ii. The unit must restart export activity in this Financial Year.
- iii. The proposed items will be subjected to fulfillment of conditions as indicated in ITC (HS) classification of Export and Import items.
- iv. In case of any discrepancies/mismatch between the 'HSN code/Description of Goods' as provided by the unit and 'HSN Code/Description of Goods' as per ITC (HS) classification of Export and Import items, the later will prevail.
- v. If in future any of the items becomes restricted/prohibited as per ITC (HS) classification of Export and Import items, then such items shall get excluded from the Letter of Approval.

Agenda Item No.3: Request 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.

Shri Jyotirindu Pal, Manager virtually represented the unit M/s J.V. Gokal & Co. Pvt Ltd before the Committee.

Committee observed that, the agenda was earlier placed before 164th UAC and the committee deferred the matter for want of 8 digit ITC (HS) code of the proposed three items.

The unit has now submitted the required 8 digit ITC (HS) codes of the proposed three items, which are 12129990, 12119099 and 21069060, and committee observed that the items are not in the list of restricted/prohibited items.

After deliberation, the Committee approved inclusion of the items in the Letter of Approval, subject to the following conditions:

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- i. The proposed items will be subjected to fulfillment of conditions as indicated in ITC (HS) classification of Export and Import items.
- ii. In case of any discrepancies/mismatch between the 'HSN code/Description of Goods' as provided by the unit and 'HSN Code/Description of Goods' as per ITC (HS) classification of Export and Import items, the later will prevail.
- iii. If in future any of the items becomes restricted/prohibited as per ITC (HS) classification of Export and Import items, then such items shall get excluded from the Letter of Approval.

Agenda Item No.4: Cancellation of LOA of M/s Space Matrix Ltd., a unit of Falta SEZ, for gross misuse and violation of SEZ Acts and Rules and Foreign Trade (D&R) Act 1992.

No one represented the unit before the Committee.

Committee observed the following:

- i. M/s Space Matrix Ltd was admitted in Corporate Insolvency Resolution Process in year 2019 by the order of Hon'ble National Company Law Tribunal (NCLT), and thereafter Hon'ble NCLT vide order dated 24.02.2020 ordered its liquidation. Pursuant to that, assets of M/s Space Matrix Pvt Ltd located at Falta SEZ had been sold to another unit of Falta SEZ viz. M/s Pacific Jute Ltd.

The said liquidation matter is still pending with NCLT for final order.
- ii. M/s Space Matrix Ltd was involved in severe fraudulent International trade practices by grossly mis-declaring their items of import/export, as evidenced by the Order-in-Original no. KOL/CUS/COMMISSIONER/AP/ADMN/12/2019 dated 10.05.2019 of O/o Principal Commissioner of Customs (Airport & Admn), Kolkata Customs Zone, thereby grossly misused and contravened the provisions of SEZ Acts and Rules.
- iii. The unit did not submit Annual Performance Reports for the FYs 2011-12, 2012-13 and 2013-14, thus contravened the SEZ Acts and Rules.
- iv. Letter of Approval of the unit expired on 18.12.2013 and the unit neither applied for renewal nor applied for exit, thus contravened the SEZ Acts and Rules.
- v. Consequent to expiry of the Letter of Approval, the lease rights of M/s Space Matrix Ltd i.r.o. Falta SEZ land ceased to exist w.e.f. 19.12.2013 as per rule 11(5) of SEZ Rules, 2006. The said SEZ land is not getting used for productive purpose since FY 2013-14 due to non function of the unit, resulting in Foreign Exchange loss to the nation.

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In light of the above and after deliberation, Committee decided to initiate adjudication process against M/s Space Matrix Ltd, as per section 16 of SEZ Act 2005, rule 54(2) of SEZ Rules 2006 and provisions of Foreign Trade (Development and Regulation) Act 1992, for gross contravention of SEZ Act and Rules, subject to the provisions of the Insolvency and Bankruptcy Code, 2016 since M/s Space Matrix Ltd is presently under Corporate Insolvency Resolution Process.

Further, Committee directed O/o Development Commissioner, Falta SEZ to allot the aforesaid SEZ land to M/s Pacific Jute Ltd for productive use, as they have already bought the assets of M/s Space Matrix Ltd located at this land.

Agenda Item No.5: Request for approval of setting up an Electrical vehicle charging points at parking space by M/s Capgemini Technology Services India Ltd., having LOA no. SEZ/LIC/C-1/2007 dated 20/12/2007 at Candor Kolkata One Hi-Tech Structures Ltd. IT/ITES SEZ.

Shri Ramkrishna Menon physically represented the unit M/s Capgemini Technology Services India Ltd before the Committee.

Committee considered the agenda under the light of proviso of Rule 11 (5) of SEZ Rules 2006.

After deliberation, Committee accorded approval to the unit for setting up the electrical vehicle charging point at the parking space allotted by the Developer, with the condition that the unit shall not be entitled for any exemptions, drawbacks and concessions under SEZ Act 2005 for this purpose.

Agenda Item No.6: Request for approval of change in the list of Directors and Shareholding pattern of M/s Cognizant Technology Solutions Pvt Ltd having units in Candor Kolkata One Hi-Tech Structures Ltd. IT/ITES SEZ, DLF Ltd IT/ITES SEZ, Kolkata IT Park SEZ in West Bengal.

No one represented the unit M/s Cognizant Technology Solutions Pvt Ltd before the Committee.

Committee considered the agenda under the instruction no. 109 dated 18.10.2021 of Department of Commerce, and noted the subject intimation.

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 Transworld Business Corporation	Falta SEZ	2022-23 (4 th year of the current block)	Negative NFE noted throughout the block. Thus, Committee

				decided to Show Cause the unit in terms of Rule 54 of SEZ Rules 2006.
2.	M/s Zenith International	Manikanchan SEZ	2021-22 (1 st year of the current block)	<p>1. Positive NFE noted.</p> <p>2. Unit achieved value addition as per extant Foreign Trade Policy.</p> <p>3. Committee condoned the 16 days delay in submission of the APR for FY 2021-22.</p>
3.	M/s Suman Jewellery (Delhi) Private Limited	Manikanchan SEZ	2021-22 (1 st year of the current block)	<p>1. Negative NFE noted for the year. Committee directed to keep the unit under watch as per Rule 54 of SEZ Rules 2006.</p> <p>2. Value addition report not submitted by the unit. Committee directed unit to immediately submit the value addition report.</p> <p>3. Committee condoned the 53 days delay in submission of the APR for FY 2021-22.</p>
4.	M/s Senco Gold Limited	Manikanchan SEZ	2021-22 (5 th year of last block), and 2022-23(1 st year of current block)	<p>Noted non functioning of the unit since FY 2018-19.</p> <p>Committee therefore directed to issue Show Cause to the unit under section 16 of SEZ Act 2005, as to why the Letter of Approval should not be cancelled and penalty should not be imposed under provisions of Foreign Trade (Development and Regulation) Act, 1992</p>

				for contravention of SEZ Act and Rules.
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This issues with the approval of Zonal Development Commissioner, Falta SEZ.

e-Sd/-

(Abhishek Sanyal)
Deputy Development Commissioner

File No. 1(71)/169th UAC/2023

Dated 13.11.2023

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 Harish, IFS
Executive Director
WBIDC, 23, Camac Street,
5th Floor, Kolkata-700 017
4. Shri Bappaditya Banerjee,
Assistant Commissioner of Customs,
Air Cargo Complex,
NetajiSubhas Bose Airport, Kolkata-700 052
5. Shri Subrata Ghosh, 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,

Signed by Abhishek Sanyal
Date: 13-11-2023 16:28:41
Reason: Approved

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Govt. of West Bengal,
Alipore Regional Office,
12,Biplabi Kanai LalBhattacharjeeSarani,
Minority Bhavan,
5th floor, Alipore, Kolkata-27

7. Smt. Sarmist haKundu
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. Shri Debasish Biswas,
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. Shri Mini Chowdhary,
Additional 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,
11. Falta SEZ
Shri Parthasarathi Ghosh, Dy. Development Commissioner,
Falta SEZ
- 11.
12. Shri Rampal Singh Rajwar, Deputy Commissoner of Customs,
MKSEZ
13. Shri Ajit Kumar Kispotta, Assistant Commissioner of
Customs & Specified Officer, IT &ITES SEZ
14. ShriPrasanta Kumar Panda, Assistant Development
Commissioner, FSEZ
15. Shri Subhranil Bhattacharya, Assistant Development
Commissioner, FSEZ
16. Smt. Debjani Ghosh, Assistant Development
Commissioner, FSEZ
17. Shri Praveen Panda, Assistant Development Commissioner,
FSEZ
18. Shri Pradeep Mohapatra, Assistant Development

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- Commissioner, FSEZ
19. ShriRanjit Basak, Assistant Development Commissioner, FSEZ
 20. Shri Sashi Ranjan Sharma, Assistant Development Commissioner, FSEZ
 21. Shri Partha Kumar Mondal, Assistant Development Commissioner, FSEZ
 22. Shri Praveen Kumar Panda, Assistant Development Commissioner, FRSEZ

Annexure-I

THE FOLLOWING OFFICERS ATTENDED THE 169th UAC MEETING HELD ON 08.11.2023 AT 5.00 P.M.

Sl. No	Name of the Officer	Name of the Office/Department
1.	Shri Debotosh Chatterjee	Dy. Commissioner of Customs, FSEZ
2.	Shri Abhishek Sanyal	Dy. Development Commissioner, FSEZ
3.	Shri Parthasarathi Ghosh	Dy. Development Commissioner, FSEZ
4.	Shri Soham Dutta,EA	WBIDC
5.	Smt. Krishna Prasad Rajasekharan	O/o Addl. DGFT
6.	Shri Sandeep Podder, Supdt. of Customs	Air Cargo Complex, Customs
7.	ShriAjit Kumar Kispotta, Assistant Commissioner of Customs	Candor Kolkata One Hi-tech Structures Ltd. IT SEZ
8.	Shri Debasish Biswas , Assistant Commissioner	GST South Commissionerate
9.	Shri Mini Chowdhary, Additional Commissioner	GST North Commissionerate
10	Shri Rampal Singh Rajwar	Dy. Commissioner of Customs, MSEZ
10.	Smt. SarmisthaKundu Environmental Engineer	WBPCB, Salt Lake R.O. Office
11.	Shi T.K. Biswas, Executive Engineer	WBPCB, Alipore Regional Office