

Government of India
Falta Special Economic Zone
 Ministry of commerce & Industry
 Department of Commerce
 2nd MSO Building, 4th Floor, Nizam Palace
234/4, AJC Bose Road, Kolkata-700 020

Minutes of 125th meeting of the Unit Approval Committee Constituted in terms of Section 13 of Sub Section 1 of the Special Economic Zone Act, 2005 held on 29.12.2020 at 3.30 PM in the Chamber of Development Commissioner, Falta Special Economic Zone 4th floor, 2nd MSO Building, Nizam Palace, 234/4, AJC Bose Road, Kolkata-700 020 through Video Conferencing regarding Falta SEZ, Candor Kolkata and DLF IT/ITES SEZs. List of participants is enclosed at Annexure-I.

Dr. B.K. Panda, Chairman & CEO welcomed all the Members present in the meeting and requested to Shri M.K. Anjanaiah, Dy. DC, Falta SEZ to place the agenda before the Committee for discussion.

Item wise decisions taken were as under:

Agenda Item No. 01: Ratification of the minutes of 124th UAC meeting held on 18.11.2020

Minutes of the 124th UAC 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.2: Merger of units owned by Mallcom VSFT Gloves Pvt Ltd. & Best Safety Pvt Ltd. with Mallcom (India) Limited

The Committee has noted the request of M/s. Mallcom (India) limited for merger of units owned by Mallcom VSFT Gloves Pvt. Ltd. & Best Safety Pvt Ltd. with Mallcom (India) Limited. The authorized representative of the unit Mr. Shyam Agarwal appeared before the Committee through VC and deliberated on their request. The proposal was examined by the Unit Approval Committee

After detailed deliberation the Committee decided to approve their request in-principal for merger of units owned by Mallcom VSFT Gloves Pvt. Ltd & Best Safety Pvt. Ltd. with Mallcom (India) Limited in terms of Rule 74A of SEZ Rules, 2006 and provision in para 5(ii) of


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Instruction no. 89 dated 17.05.2018 subject to condition that the units should have obtained all clearance and certificate of incorporations is received from ROC and the unit should transfer all assets and liabilities and to new company.

Agenda Item No.3: Request for inclusion of new items in the existing OP No.FSEZ/LIC/N—21/2014/2468 dated 09.10.2014 in respect of M/s. Nipha Enterprises LLP.

The Committee has noted the request of M/s. Nipha Enterprises LLP for inclusion of new items in their existing LOP No. FSEZ/LIC/N-21/2014/2468 dated 09.10.2014 viz. under ITC (HS) Code No. (i) RR-180 Flat Material 161 X 8 MM X 1050 MM, (ii) RR-210 Flat Material 198 X 8 MM X 1050 MM, ITC (HS) code- 7228. The proposal was examined by the Unit Approval Committee.

The authorized representative of the unit appeared before the UAC through VC and he has expressed their willingness to include the new items with a clarification that they would like to incorporate the complete technical description of the items as discussed in the meeting. After due deliberation the committee decided to approve the proposal subject to conditions contained SES Rules, 2006.

Agenda Item No.4: Application of M/s. Dhaneshvarah Overseas Private Limited for setting up f a new manufacturing unit in Falta SEZ.

The Committee has noted the request of M/s. Dhaneshvarah Overseas Private Limited for inclusion of new items. The authorized representative of the unit appeared before the committee through VC and explained their request for consideration of their proposal. The proposal was examined by the Unit Approval Committee

After due deliberation the Committee decided to approve the same subject to submission of shareholding pattern afresh.

Agenda Item No.5: Request for inclusion of new items in the existing LOP No.FSEZ/LIC/B-27/2018/1741 dated 09.07.2018 in respect of Bangalore Fort Farms Ltd.

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The Committee has noted for inclusion of items in the existing LOP No. FSEZ/LIC/B-27/2018/1741 dated 09.07.2018 of M/s. Bangalore Fort Farms Ltd. Shri Bhanu Mahajan authorized representative of the unit appeared before the committee through VC and requested to approve of their proposal. The proposal was examined by the Unit Approval Committee.

After due deliberation the Committee decided to approve the same subject to condition that no DTA sale and job work should be allowed and it will be on 100% export basis and the unit has to achieve (+) NFE.

Agenda Item No.6: Proposal for inclusion of new ITC (HS) Code in the existing LOP No. FSEZ/LIC/D-20/2005/7171 dated 07.01.2005 in respect of Delta Plus (India) Pvt td.

The Committee has noted for inclusion of new ITC (HS) Code No. 64011090 (other Footwear with Toe Cap) in the existing LOP NO. FSEZ/LIC/D-20/2005/7171 dated 07.01.2005 of M/s. Delta Plus (India) Pvt. Ltd. Ms. Dhara Agarwal represented on behalf of the company through Video Conferencing during the course of discussion in the UAC.

After due deliberation, the committee approve their proposal subject to condition that the unit should submit details undertaking what machinery would be import as discussed in the meeting.

Agenda Item No.7: Request for extension of validity period of LOA No.FSEZ/LIC/P-31/2005/729 dated 06.05.2005 by M/s. Pasari Silk Industry Ltd.

The request of M/s. Pasari Silk Industries Ltd. for extension of validity period of LOA NO. FSEZ/LIC/P-31/2005729 dated 06.05.2005 beyond 26.01.2021 has been noted by the Committee. Shri S.S.Gupta authorized representative of the company appeared before the Committee though VC and explained their request during the course of discussion. The Committee also noted that the said unit did not apply for extension of LOA in time from the

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date of expiry of LOA in terms of Rule 19(6A) of SEZ Rules, 2006 due to ongoing pandemic situation.

After due deliberation the Committee decided to condone the delay in submission of their request for renewal of LOA No.FSEZ/LIC/P-31/2005/729 dated 06.05.2005 of M/s. Pasari Silk Industries Ltd for a further period of 5 years w.e.f. 27.01.2021 to 26.01.2026 in terms of provision in Rule 19(6A) of SEZ Rules 2006.

Agenda Item No.8: Request for surrender of 7,028 Sq.ft. of space and to take allotment of space of 2700 sq.ft. by M/s. Met Technologies Ltd, a unit located at Candor Kolkata One IT/ITES SEZ.

The Committee has noted for surrender of 7,028 sq.ft of space and to take allotment of space of 2700 sq.ft by M/s. Met Technologies Ltd a unit located at Candor Kolkata One IT/ITES SEZ. The authorized representative of the unit appeared through VC before the Committee and explained their request for consideration. The matter was examined by the Committee.

After due deliberation, the Committee, decided to approve their proposal for surrender of 7,028 sq.ft. of space and to take allotment of an area admeasuring 2,700 sq.ft on 1st floor of Tower-1, Block-A, in the same IT/ITES SEZ complex, complying the formalities of the SEZ Rules, as applied by them.

Agenda Item No.9: Request for approval of Specified Services by M/s. Cognizant Technology Solutions India Pvt. Ltd.

The request of M/s. Cognizant Technology Solutions India Pvt. for approval of specified services for inclusion of 67 default list of authorized services was discussed at length. After due deliberation, the committee decided to approve the default list of services in as Annexure-I from Sl No. 1 to 67 in its approved list of services for authorized operation for exemption of service tax in terms of Instruction No. 79 dated 19.11.2013 by DOC and complying the formalities of the SEZ Rules.

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Agenda Item No.10: Request for approval of Service to be procured for authorized operations for Candor Kolkata One Hi-tech Structures Pvt Ltd It SEZ, New Town.

The request for approval of service to be procured for authorized operations for Candor Kolkata One Hi-tech Structures Pvt. Ltd IT SEZ, New Town was discussed and examined by the committee.

After due deliberation, the Committee, decided to approve the service to be procured for authorized operation in Candor Kolkata One Hi-tech Structures Pvt Ltd IT SEZ, New Town, Kolkata subject to compliance of SEZ Rules, 2006, as applied by the unit.

Agenda Item No.11: Request for renewal of LOA No. SEZ/IT-ITES/ER/U-12/2008/351 dated 11.11.2009 for the balance period of five years i.e. four years w.e.f. 03.05.2021 by M/s. Tata Consultancy Services Ltd.

The request of M/s. Tata Consultancy Services Ltd. for renewal of LOA No. SEZ/IT-ITES/ER/U-12/2008/351 dated 11.11.2009 for the balance period of five years i.e. four years w.e.f. 03.05.2021 to 02.05.2025 by M/s. Tata Consultancy Services Ltd has noted by the committee. Mr Rajesh authorized representative on behalf of the company appeared before the committee and explain their request for consideration through video conference. The committee has also noted that the unit did not apply for extension of LOA in time from the date of expiry of LOA in terms of Rule 19(6A) of SEZ Rules, 2006 due to ongoing pandemic and lockdown situation.

After deliberation the Committee decided to condone the delay in sub mission of their request for renewal of LOA No. SEZ/IT-ITES/ER/U-12/2008/351 dated 11.11.2009 of M/s. Tata Consultancy Services Ltd. for a further period of 5 years from 03.05.2021 to 02.05.2026 in terms of provision in Rule 19(6A) of SEZ Rules 2006.

Agenda Item No.12: Request for renewal of LOA No. SEZ/IT-ITES/ER/U-14/2010/434 dated 23.04.2010 for the balance period of five years i.e. four years & six months w.e.f. 06.05.2021 by M/s. Tata Consultancy Services Ltd.

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The request of M/s. Tata Consultancy Services Ltd. for renewal of LOA No. SEZ/IT-ITES/ER/U-14/2010/434 dated 23.04.2010 for the remaining balance period of five years i.e. four years & six months w.e.f. 06.05.2021 by M/s. Tata Consultancy Services Ltd was noted by the Committee . Shri Rajesh authorized representative on behalf of the company appeared before the committee and explained their request for consideration through video conference. The Committee also noted that the unit did not apply for extension of LOA in time from the date of expiry of LOA in terms of Rule 19(6A) of SEZ Rules, 2006 due to ongoing pandemic and lockdown situation.

After deliberation the Committee decided to condone the delay in submission of their request for renewal of LOA No. SEZ/IT-ITES/ER/U-14/2010/434 dated 23.04.2010 of M/s. Tata Consultancy Services Ltd. for a further period of 5 years i.e. four years & six months from 06.05.2021 to 05.05.2026 in terms of provision in Rule 19(6A) of SEZ Rules 2006.

Agenda Item No.13: Request for M/s. Medfin India Private Limited for approval of 67 nos. of default authorized services.

The request of M/s. Medfin India Private Limited for approval of 67 nos of default list of authorized services was examined and noted by the Committee. After due deliberation, the Committee decided to approve the default list of services in Annexure-I of its approved list of services for authorized operation for exemption of service tax in terms of Instruction No. 94 dated 08.05.2019 by DOC complying the formalities of the SEZ Rules

Agenda Item No.14: Request for M/s. Cognizant Technology Solutions India Private Limited for approval of 67 nos of default authorized services.

The request of M/s. Cognizant Technology Solutions India Private Limited for approval of 67 nos of default list of authorized services was noted and examined by the UAC. After due deliberation, the Committee decided to approve the default list of services as authorized in Annexure-I of approved list of services for authorized operation for exemption of service tax in terms of Instruction No. 94 dated 08.05.2019 by DOC complying the formalities of the SEZ Rules

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Agenda Item No.15: Request for M/s. Eficsson India Global Services Private Limited for surrender of space of 35,866 Sq.ft. of space on the 8th floor.

The request of M/s. Ericsson India Global Services Private Limited for surrender of space of 35,866 sq.ft. of space on the 8th floor was noted by the Committee. Shri Asish Naskar the authorized representative on behalf of the company appeared before the Committee through video conference and explained their request for consideration.

After detailed discussion and due deliberation the Committee decided to approve for surrender of space admeasuring 35,866 sq.ft. of space in the 8th floor of Block 1A in DLF IT Park II, DLF SEZ Action Area-II, Rahjarhat, Kolkata-700156 holding LOP NO. DLF SEZ/LIC/E-1/2011/535 dated 16.05.2011 subject to condition to obtain a No Dues certification from the Custom Authorities.

Agenda Item No.16 : Request for transfer of name from Microsec Capital Limited to Sastsundar Ventures Limited

The Committee noted the request of M/s Microsec Capital Limited, a service unit in the CFB Building of Manikanchan SEZ, who vide their letter dated 03.03.2020, requested for transfer of name from Microsec Capital Limited to Sastasundar Ventures Limited as per Hon'ble High Court, Calcutta Order dated 21.11.2016 and Scheme of Amalgamation Order issued by the Regional Director, Eastern Region under Companies Act, 2013 on 9th January, 2018.

The Committee noted that based on their application, they were granted LOP No. MSEZ/LIC/M-2/2003/51 dated 01.04.2004 for setting up a services unit for Commodity Futures (Gold & Silver), Insurance, and Depository & Stock Services in Manikanchan SEZ. As per conditions of LOP, they need to confirm acceptance of the terms and conditions of LOP within 45 days of issues of LOP. Further, the Letter of Permission is valid for 3 years from the date of its issue, within which they should implement the project and commence commercial production and would automatically lapse if an application for the extension of validity is not made before the end of said period. Date of commencement of production was to intimate to the Development Commissioner of Manikanchan SEZ. The Unit has neither accepted or denied the terms and conditions of LOP nor submitted any application for renewal of LOP. Vide their letter dated

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13.10.2020, they have stated since they have been allocated space in CFB building, date of commencement of commercial production is not applicable to the unit and they have mentioned that no operation has started yet in their unit from the date of grant of LOP.

After detailed deliberation, the Committee decided that since the Microsec Capital Limited did not comply with the condition stipulated in LOP, the Unit ceases to exist from the date of completion of 3 years from the date of issue of LOP i.e. 31.03.2007 as per LOP. Thus the LOP cannot be transferred from Microsec Capital Limited in the name of Sastasundar Ventures Limited. Since, the Unit has kept the space under possession without any activities, the unit is liable to all pending dues/ penalty w.r.t. Lease Rent, O&M charges etc. to the Developer, WBIDC.

The UAC further noted that after completion of the due formalities by Microsec Capital Limited, Sastasundar Ventures Limited may apply afresh for starting new activities in CFB building for consideration of UAC, after getting due NOC from the Developer, i.e. WBIDC.

Agenda Item No.17: Request of M/s. B.C. Sen & Co. for de-bonding/exit of their unit from Manikanchan SEZ.

The Committee noted the request of M/s B.C. Sen & Co. for de-bonding/exit of their unit from Manikanchan SEZ, as a manufacturing unit applied vide their letter dated 17.02.2020 for de-bonding/exit of their unit in terms of Rules 74 of SEZ Rules, 2006. Shri Subir Sen the authorized representative on behalf of the company appeared before the Committee through video conference and explained their request for consideration.

After detailed discussion and due deliberation the Committee decided to approve for de-bonding/exit of their unit from Manikanchan SEZ as per Rule 74 of SEZ Rules, 2006 subject to condition that the unit should have obtained a 'No Dues Certificate' from customs after clearing all pending custom duties as well as No objection Certificate from Developer i.e. WBIDC. Further, the Committee noted due to late submission of APR, monitoring of APR could not be done on time, a penalty may be fixed as applicable, by authority, if any, as per FT(DPR) ACT, 1992 for late submission of APR.

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Agenda Item No.18: Non submission of APR and non-performance of M/s. Modern International for the year 2016-17, 2017-18, 2018-19 & 2019-20.

The Committee noted for non-submission of APR and non-performance of M/s. Modern International for the year 2016-17, 2017-18, 2018-19 & 2019-20. Shri Manish Upadhyay the authorized representative on behalf of the company appeared before the Committee and explained the detail before the committee.

After detailed discussion and due deliberation the Committee decided to defer the issue to the next UAC Meeting of reason behind want of detail discussion of concerned unit.

Agenda Item No.19: Non-performance of M/s. Rohit export Jewellery LLP for the year 2015-16, 2016-17.

The Committee noted for non-performance of M/s. Rohit Export for the year 2015-16, 2016-17. None of the person have appeared before the Committee on behalf of the company. Thus the matter was not taken up for discussion in the UAC Meeting..

Hence, the Committee decided to inform the unit to be present and deferred the matter to the next UAC Meeting.

Agenda Item No.20: Application for setting up of a new unit for processing & Recycling of non ferrous metals applied by M/s. RIPL Components Pvt. Ltd-reg.

The request for setting up of a anew unit for processing & Recycling of Non ferrous metals applied by M/s. RIPL Components Pvt. Ltd was discussed and examined by the Committee. Shri Bhanu Mahajan, an authorized representative of the firm appeared before the Committee through VC and deliberated on their request at length. During the course of discussion the committee also informed the reason for non-admissibility of their request since in terms of provision in SEZ Rules, 2006 [Rule 18(4)(d) of SEZ Rules, 2006] no proposal shall be considered for import of other used goods for recycling. After due deliberation, the committee decided to reject the proposal for setting up of a new unit considering existing policy of the Govt. of India as applicable in SEZs on the issue.


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Agenda Item No.21: Request for approval towards generation of waste/scrap in the process of sub-contracting of M/s. Nipha Enterprises LLP.

The Committee has noted the request for approval towards generation of waste/scrap in the process of sub-contracting of M/s. Nipha Enterprises LLP. Shri. Rakesh Saha the authorized representative of the unit appeared before the Committee through VC and explained their request for consideration of their proposal. The proposal was examined by the Unit Approval Committee.

After due deliberation the Committee decided to defer the matter for the next UAC Meeting. The unit should have submitted an undertaking and necessary clarification on the point of job work executing, as submitted, in their application and complying the formalities of the SEZ Rules. Preferably, the units representative should appear before the Committee in person and explain the process of generation of scrap during the subcontracting work with the help of technical write-up, drawing etc.

Monitoring of Annual Performance of SEZ Units (Private SEZ)

| Agenda No. | Name of the Unit | Year of Monitoring | Remarks |
|------------|--|---|---|
| 01. | M/s. B.C.Sen International Ltd | 2 nd block 4 th & 5 th year(2015-16,2016-17) 3 rd block 1 year 2017-18 | The said unit has applied for exit from SEZ by way of de-bonding. |
| 02. | M/s. Modern International | 3 rd block-2 nd ,3 rd ,4 th , 5 th year (2015-16,2016-17, 2017-18,2018-19) 4 th Block – 1 st year 2019-20 | Defer to next UAC Meeting. |
| 03 | M/s. Rohit Export Jewellery LLP | FY 2015-16 & 2016-17 3 rd block 1 st , 2 nd dyear | Defer to next UAC Meeting. |
| 4. | M/s. Delta Plus India (India) Pvt. Ltd | FY 2019-20 | (+) NFE taken note off |
| 5. | M/s. J.V. Gokol & Co. Pvt. Limited | FY 2017-18 & 2018-19 3 rd block 4 th & 5 th year) | (+) NFE taken note off |

M.B. Singh

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|---|--------------------------------------|----------------------|---|
| 6 | M/s. International Conveyors Limited | FY 2018-19 & 2019-20 | Show cause Notice would be issued for pending realization FY 2019-20. |
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This issues with the approval of Development Commissioner.



M.K. Anjanaiah
(M.K. Anjanaiah)
Deputy Development Commissioner

File No. 1(43)/125th UAC/2020/1892-1905

Dated 11/01/2021

The Joint Commissioner,
Office of the Principal Chief Commissioner,
Central Goods Service Tax and Central Excise, Kolkata Zone,
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The Additional DGFT,
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जारी किया / ISSUED
हस्ताक्षर / SIGNATURE
दिनांक / DATE 11/01/21

Ruby Sinha
Environmental Engineer (In-charge)
Salt Lake Regional Office
West Bengal Pollution Control Board, Govt. of West
Mani Sqr, Block 8 – IT, 8th Floor, 164/1, Maniktala Main Road, Kolkata-54.

Shri T.K. Biswas,
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Dr. P.K. Sarkar
Assistant Commissioner of Customs,
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Ms. Jayati Mitra
"Minority Bhawan",
West Bengal Pollution Control Board,
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Alipore, Kolkata-700 027

Shri M.K. Anjanaiah, Dy. Development Commissioner, FSEZ

Shri Lakshmi Kanta Halder, Dy. Development Commissioner, FSEZ

Shri M.R. Kumar, IRS, Deputy Commissioner of Customs & Specified Officer, Falta SEZ

Shri P.K. Agrawal, Superintendent of Customs, Falta SEZ

Shri D.N. Bhattacharya, Assistant Development Commissioner, Falta SEZ.

Shri Ratan Nandan, Assistant Development Commissioner, Falta SEZ

Shri Devreen Bhakta, Assistant Development Commissioner, Falta SEZ.

Shri Subhranil Bhattacharjee, Assistant Development Commissioner, MKSEZ.

THE FOLLOWING OFFICERS ATTENDED IN THE 125th UAC MEETING HELD ON 29th December, 2020 AT 3.30 P.M.

| Sl No | Name of the Officer | Name of the Office/Department |
|-------|-----------------------------------|--------------------------------------|
| 1. | Shri Madhuranjan Kumar | Dy. Commissioner of Customs |
| 2. | Jayati Mitdra | WBPCB, |
| 3. | Shri Asok Ghosh, Advisor(Project) | WBIDC |
| 4. | Shri Sumanta Pal | Air Cargo Complex, Custom |
| 5. | Shri A.Dasgupta | WBPCB |
| 6. | Shri D.Chakraborty, | DGFT |
| 7. | Shri Lakshmi Kanta Halder | Dy,DC, FSEZ |
| 8. | Shri M.K. Anjanaiah | Dy,DC, FSEZ |
| 9. | Shri P.K. Agarwal | Superintendent of Customs, Falta SEZ |