



सत्यमेव जयते

भारतसरकार/Government of India

फलताविशेषआर्थिकक्षेत्र/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

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Falta SEZ



भारत सरकार
G20

No. FSEZ/LIC/K-43/2022/636 -637

Date:22/08/2023

SHOW CAUSE NOTICE

WHEREAS, M/s. Kimat Trading Pvt Ltd having their registered office at 2, Floor-3,3, Navjeevan Society, Dada Bhadkamkar Marg, Mumbai Central, Maharashtra-400008 (hereinafter referred as Unit) had been permitted vide Letter of Approval No. FSEZ/LIC/K-43/2022/4049 dated 01.03.2022 (hereinafter referred as LOA) for establishment of an unit in Falta Special Economic Zone, Falta 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".

WHEREAS, Rule 19(4) of SEZ 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".

WHEREAS, the unit did not intimate the date of commencement of production to the Development Commissioner, Falta Special Economic Zone, which tantamount to violation of Rule 19(4) of the SEZ Rules 2006.

WHEREAS, 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."

WHEREAS, as per SHOW CAUSE NOTICE (SCN) No. S33-15/2022 Adjn (A&A) dated 06.04.2023 issued to the unit by O/o the Principal Commissioner of Customs (Airport & A.C.C.), Kolkata, the unit had given gross mis-declaration in respect of their imports, which tantamount to taking wrongful benefits of First Proviso of Rule 27 (10) of Special Economic Zone Rules 2006 and gross violation of Foreign Trade (Development and Regulation) Act,1992.

WHEREAS, 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.

THEREFORE, the Unit is hereby asked to show cause as to why the Letter of Approval should not be cancelled and action should not be taken against them, without prejudice to any other actions as per other Acts and Rules, for gross misuse and violation of SEZ Act & Rules read with Foreign Trade (Development & Regulations) Act 1992.

WHEREAS, the Unit may file their written reply within **30** days from the date of issue of this notice and if they wish to be heard in person, they may say so within this period after prior appointment with the undersigned, failing which action as deemed fit may be taken ex-parte on the basis of records available before this office.

WHEREAS, it may please be noted that these are quasi-judicial proceedings and therefore, personal hearing will be allowed only to the Directors, if they are not in a position to appear for sufficient and valid reasons, they may depute an employee of the firm or any other functionary directly connected with their concern, who has intimate knowledge and full facts of the case. They may, if they so desire, also be represented by a practicing advocate. Such employee/functionary/practicing advocate should submit their forwarding letter and special power of attorney on stamp paper duly executed in his favour authorizing him to appear in these particular proceedings and statement/submissions/depositions made will be legally binding upon the firm/concern.

This issues without prejudice to any other actions that may be taken against the said firm under any other Rules/Law in force.

(Satish Kumar)

Zonal Development Commissioner
Falta Special Economic Zone

To

01 M/s. Kimat Trading Pvt Ltd.
2, Floor-3,3,NavjeevanSociety,
Dada Bhakamkar Marg,
MumbaiCetral, Mharastra,400008
Email: kimattradingpvt@yahoo.com



02 Shri Vijaya Bahadur Singh
Director of M/s.Kimat Trading Pvt. Ltd.
S/o Shri Dileep Singh, H-527, Gandhi Nagar,
Jaipur, Rajasthan – 302015

03 Shri Krishna Singh Rathore, C/o Vikram Singh
Rathore, Makan No. 216,
Gadhkeandar, Gulgaon,
Ajmer, Rajasthan- 305407

Copy to :

1. O/o The Principal Commissioner of Customs (Airport & A.C.C.), Kolkata i.r.o. SCN No. S33-15/2022 Adjn (A&A) dated 06.04.2023.

sd/

(Satish Kumar)

Zonal Development Commissioner
Falta Special Economic Zone

जारी किया / ISSUED

हस्ताक्षर / SIGNATURE

दिनांक / DATE 29/08/2023