



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(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:

- i. Unit shall hold goods only on account of foreign companies, and all their transactions shall only be in convertible foreign currency.
- ii. 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....." .

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 scarps 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. |

e-Sd/-
(Abhishek Sanyal)
Deputy Development Commissioner &
Head of Office

File No. 1(68)/164thUAC/2023

Dated 04.07.2023

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,
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
Dept. 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. ShriDebasishBiswas,
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. Mini Chowdhary,
Deputy 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. ShriParthasarathiGhosh, Dy. Development Commissioner, Falta SEZ
12. ShriDebotoshChatterjee, Deputy Commissioner of Customs, Falta SEZ
13. ShriAjit Kumar Kispotta, Assistant Commissioner of Customs & Specified Officer,
IT & ITES SEZ (Additional charge of SO, Manikanchan SEZ)
14. ShriPrasanta Kumar Panda, Assistant Development Commissioner, FSEZ
15. ShriSubhranil Bhattacharya, Assistant Development Commissioner, FSEZ
16. Smt. DebjaniGhosh, Assistant Development Commissioner, FSEZ
17. Shri Praveen Panda, Assistant Development Commissioner, FSEZ
18. ShriPradeepMohapatra, Assistant Development Commissioner, FSEZ
19. ShriRanjitBasak, Assistant Development Commissioner, FSEZ
20. ShriSashiRanjan Sharma, Assistant Development Commissioner, FSEZ
21. ShriPartha Kumar Mondal, Assistant Development Commissioner, FSEZ

THE FOLLOWING OFFICERS ATTENDED THE 164thUAC MEETING HELD ON 31.05.2023 AT 4.00 P.M.

| Sl. No | Name of the Officer | Designation with Office/Department |
|--------|--------------------------|---|
| 1. | ShriAbhishekSanyal | Dy. Development Commissioner, FSEZ |
| 2. | ShriParthasarathiGhosh | Dy. Development Commissioner, FSEZ |
| 3. | ShriS.Bhattacharya | Advisor, Projects, WBIDC |
| 4. | Smt. Dona Ghosh, | Jt.DGFT, O/o Addl. DGFT |
| 5. | ShriBappaditya Banerjee | Assistant Commissioner, Air Cargo Complex, Customs |
| 6. | ShriAjit Kumar Kispotta, | Assistant Commissioner of Customs, Candor Kolkata One Hi-tech Structures Ltd. IT SEZ |
| 7. | ShriDebasishBiswas, | Assistant Commissioner, GST South Commissionerate |
| 8. | Smt. MiniChowdhary, | Deputy Commissioner of Custom, GST North Commissionerate |
| 9. | ShriSubrataGhosh, | Chief Engineer, WBPCB, ParibeshBhawan, Bidhannagar |
| 10. | Smt. SarmisthaKundu | Environmental Engineer, WBPCB, Salt Lake R.O. Office |
| 11. | Shi T.K. Biswas | Executive Engineer, WBPCB, Alipore Regional Office |