



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
 Floor
 234/4 एजेसीबोसरोड, कोलकाता-700 020/ 234/4 AJC Bose Road, Kolkata-700
 020;
 टेलीफोन /Phone:2287-2263,2287-7923,2281-3117; फैक्स /Fax : (033)2287-
 3362;
 ईमेल /Email: fsez@nic.in; वेबसाइट /Website: <http://fsez.gov.in>



Subject: Minutes of the 182nd Unit Approval Committee (UAC) meeting (9th meeting of the 2024 Series) held on 27.08.2024 at Manikanchan Special Economic Zone, Kolkata under the chairmanship of Development Commissioner, Falta Special Economic Zone.

Agenda item no. 182.1: Ratification of the minutes of the 180th Meeting of the Unit Approval Committee held on 24th July, 2024.

Minutes of 180th UAC meeting was circulated to all the members of the Committee.

Comments were received from Shri Lakshmi Kanta Halder, Joint DGFT, representing Additional Director General of Foreign Trade, Kolkata vide email dated 30.07.2024 as stated under:

The following facts may be considered:

- i. Name of the approved item along with HSN Code is required to be mentioned.
- ii. "Concrete Paver Block" (HSN Code 68101110) = "Cement bricks" (HSN Code 68101110).
- iii. List of approved services (although in principal) is required to be mentioned.

After due consideration of the comments made, corrigendum to the minutes issued on 02.08.2024 and circulated to all members.

As no further comments received, the Committee ratified the minutes and the corrigendum.

Agenda item no.182.2 (i) : Application of M/s. Blubuck Metal Manufacturing & Trading Private Limited for setting up of a new "Silver and Gold Jewellery and Accessories" Manufacturing Unit at Falta SEZ.

Shri Ashutosh Kayal physically represented the applicant before the Committee.

Committee considered the matter in light of Rule 18 of the Special Economic Zones Rule, 2006.

It was observed, that the proposed 25 (twenty five) gems & jewelry items of manufacturing are freely exportable as per extant Indian Trade Classification (Harmonized System) of Export and Import Items. The said items are as under:

ITC HS Code	Item Description
71131110	Jewellery with Filgree Work
71131141	Silver Jewellery- Unstudded
71131142	Silver Jewellery- studded with Pearls
71131143	Silver Jewellery studded with Diamonds of heading 7102
71131144	Silver Jewellery studded with Diamonds of heading 7104
71131145	Silver Jewellery studded with Precious and Semi-Precious Stones
71131149	Silver Jewellery - Others
71131190	Silver Jewellery – Parts
71131911	Gold Jewellery-Unstudded
71131912	Gold Jewellery- studded with Pearls
71131913	Gold Jewellery- studded with Diamonds of heading 7102
71131914	Gold Jewellery- studded with Diamonds of heading 7104
71131915	Gold Jewellery-studded with Precious and Semi-Precious Stones
71131919	Gold Jewellery-Others
71131921	Platinum Jewellery - Unstudded
71131922	Platinum Jewellery - studded with Pearls
71131923	Platinum Jewellery - studded with Diamonds of heading 7102
71131924	Platinum Jewellery - studded with Diamonds of heading 7104
71131925	Platinum Jewellery - studded with Precious and Semi-Precious Stones
71131929	Platinum Jewellery- Others
71131110	Articles of Silver
71141120	Articles of Silver-Parts
71141910	Articles of Gold
71141920	Articles of Platinum
71181000	Coin- Other than Gold

Committee, therefore, approved the subject proposal, with the condition that the item “Coin-other than Gold” bearing ITC (HS) code 71181000 should not be a legal tender.

Committee noted the projected FOREX balance sheet for five years (Rs 706.11 crore exports with Net Foreign Exchange earning of Rs 64.49 crore, cumulatively), proposed investment of Rs 50.00 lakh in plant & machinery and proposed employment of 30 people (with 10 women).

Agenda No.182.2 (ii) : Request of M/s. Nipha Enterprises LLP for approval and inclusion of “List of Services” within the approved services list under new Notification No.12/2013 ST dated 01.07.2013.

Shri Dipankar Halder physically represented the unit before the Committee.

It was observed, that 180th UAC had decided to give 'in principal' approval for including 35 (thirty five) services in the list of 'default authorized services' i.r.o. the unit, and it was further decided that formal approval would be given after unit submits documents to establish that the services are getting availed by them in the SEZ.

And it was observed, that the unit has submitted the documents i.r.o. 04(four) services (out of thirty five) viz. Cargo handling services, Clearing & forwarding agents services, Custom house agent services and Technical testing & analysis services, and Customs wing, O/o DC, Falta SEZ vide Inter Section Note dated 13.08.2024 confirmed that the said four services have been availed by the unit in the SEZ.

Committee, therefore, formally approved the said four services as default authorized services i.r.o. the unit.

Agenda No. 182.2 (iii): Adjudication of Show Cause Notice (SCN) of M/s. Kimat Trading Pvt. Ltd., a Trading unit of Falta SEZ holding of LOA No. FSEZ/LIC/K-43/2022/4049 dated 01/03/2022.

No one represented the unit before the Committee.

It was observed that the unit remained unresponsive despite many attempts by O/o DC, Falta SEZ, including newspaper publication, for getting them heard.

Committee had no option but to go by the facts on record and assuming that the allegations against the unit as were stated in the Show Cause Notice dated 22.08.2023 issued by DC, Falta SEZ are true and therefore, decided to cancel Letter of Approval of the unit u/s 16 of the Special Economic Zones Act, 2005. Committee also decided to impose maximum penalty on the unit as per the provision of Foreign Trade (Development & Regulation) Act, 1992 for the gross misuse and violation of SEZ laws as made by them.

Agenda No.182.2 (iv): Proposal for Cancellation of LOA No. FSEZ/LIC/J-23/2012/2610 dated 11.10.2012 in respect of M/s. Jiwanram Sheoduttrai Industries Ltd, a manufacturing unit of Falta SEZ.

Shri Suresh Dhandhanian physically represented the unit before the Committee.

The Committee observed the following:

- i. That, the unit is not paying lease rentals since very long and the outstanding lease rentals on a/c of the unit is Rs 1,77,89,204.50 as on 30.06.2024.
- ii. That, the 174th UAC in its meeting dated 27.02.2024 renewed the unit's Letter of Approval with the condition that the unit will give legal undertaking to clear the outstanding dues in a time bound manner.

- iii. That, the unit neither cleared the outstanding rental dues nor submitted the legal undertaking to clear the same in a time bound manner even after 3 months.
- iv. That, the unit was show caused on 06.06.2024 as to why the Letter of Approval should not be cancelled u/s 16 of the SEZ Act, 2005 for persistent contravention of their obligation by not paying the outstanding rental dues/by not giving the required legal undertaking as was directed by 174th UAC.
- v. That, the unit was personally heard by DC, Falta SEZ on 19.06.2024, wherein the unit was again directed to submit the required legal undertaking positively by 22.07.2024. It was also made clear that if the unit fails to do so, action as deemed fit would be taken against the unit.
- vi. That, despite providing sufficient opportunity and time, the unit neither paid the outstanding rental dues nor submitted the required legal undertaking for clearing the outstanding rental dues in time bound manner.

Committee, therefore, decided to cancel Letter of Approval of the unit u/s 16 of the Special Economic Zones Act, 2005.

Agenda No. 182.2(v): Non-renewal of LOA of M/s. Nara Exim Pvt. Ltd. (a plastic re-cycling unit of Falta SEZ).

Shri Dinesh Karnani physically represented the unit before the Committee.

The Committee observed the following:

- i. That, Letter of Approval of the unit expired on 26.08.2022.
- ii. That, 112th Board of Approval (BoA) in its meeting dated 29.10.2022 had decided to temporarily extend validity of Letter of Approval of only those plastic recycling units who fulfills the following conditions:
 - a. Units should have been functional and carried out at least some production during the stipulated 18 months period i.e. 27th January, 2021 to 26th July, 2022.
 - b. Units should have made at least some exports during the stipulated period of 18 months i.e. 27th January, 2021 to 26th July, 2022.
 - c. Units shall undertake not to carry out any DTA sales till they fulfill the shortfall of Net Foreign Exchange (NFE) and export obligations for the period upto their period of expiry of validity i.e. 26th August, 2022. On fulfillment of shortfall in NFE and other export obligations as stipulated above which shall be confirmed by the jurisdictional DC, and the DC may allow DTA sale to units subject to fulfilling of policy dated 27.05.2021.

And, the BoA directed DC, Falta SEZ (and other concerned DCs) to take necessary actions accordingly.

- iii. That, O/o DC, Falta SEZ examined documents of the unit in light of the said BoA directive and found that the unit has made NIL production and NIL exports during the stipulated 18 months period, and therefore unit failed to meet the condition for renewal of LoA as decided by the BoA. Accordingly, non-renewal of the Letter of Approval of the unit was communicated to the unit vide letter dated 14.12.2022. This position was again reiterated vide letter dated 19.01.2024.
- iv. That, on 29.02.2024 the unit filed an appeal before BoA in Form J under Rule 55 of the Special Economic Zones Rules, 2006 on getting aggrieved by the letter dated 19.01.2024.
- v. That, Department of Commerce vide letter dated 25.06.2024 to DC, Falta SEZ stated, that the instant appeal has been filed against the decision of O/o DC, Falta SEZ and not against order passed by UAC, and therefore requested to get the matter examined by UAC.
- vi. That, the communication dated 19.01.2024 from O/o DC, Falta SEZ to the unit was simply conveyance of non-renewal of its Letter of Approval due to the fact that the unit failed to meet the desired condition for renewal of its Letter of Approval as decided by the BoA.

Accordingly, after deliberations, Committee gave concurrence to the position as stated above including the conveyance of non-renewal of the Letter of Approval of the unit as it failed to meet the BoA conditions.

Agenda No.182.2 (vi) : Cancellation of LOA No.FSEZ/LIC/M-49/2011/1873 dated 10.08.2011 in respect of M/s. M.P. Industries, a manufacturing unit of Falta SEZ.

No one represented the unit before the Committee.

It was observed, that Letter of Approval of the unit expired on 30.01.2023, and the unit neither applied for extension of the Letter of Approval nor applied for exit. The 166th UAC, therefore, decided to issue Show Cause Notice to the unit as to why the Letter of Approval should not be cancelled. Accordingly, a Show Cause Notice was issued on 06.09.2023. But the unit did not reply to the Show Cause Notice, despite being reminded repetitively on 15.02.2024, 27.06.2024 and 19.07.2024.

Committee viewed that the unit remained unresponsive despite being given enough opportunity of being heard, and therefore, decided to cancel Letter of Approval of the unit.

Agenda No.182.2(vii): Adjudication of Show Cause Notice (SCN)of M/s. H4U Exports Pvt. Ltd., a Manufacturing unit of Falta SEZ holding of LOA No. FSEZ/LIC/H-15/2005/4858 dated 06.01.2005.

No one represented the unit before the Committee.

It was observed, that Letter of Approval of the unit expired on 25.12.2011, and the unit neither applied for extension of the Letter of Approval nor applied for exit. The 167th UAC, therefore, decided to issue Show Cause Notice to the unit as to why the Letter of Approval should not be cancelled. Accordingly, a Show Cause Notice was issued on 27.10.2023.

And the unit replied to the Show Cause Notice on 10.07.2024, wherein it was stated that they are under huge financial burden due to non recovery of outstanding dues from the debtors and therefore requested for de-bonding (cancellation of Letter of Approval).

Committee, therefore, decided to cancel Letter of Approval of the unit.

Agenda No.182.3(i): Intimation about the updated List of Directors of M/s Accenture Solutions Pvt Ltd having LOA No SEZ/IT-ITES/ER/U-18/2010/492 dated 20/09/2010.

No one represented the unit before the Committee.

Committee noted the intimation of the unit about the updated list of their Directors.

Agenda No.182.2(viii)/Sup : Application of M/s Indi Rise Enterprise LLP for setting up a unit for manufacturing of Foundry Sand in Falta SEZ, Falta.

Shri Manoj Kumar Dash physically represented the applicant before the Committee.

Committee considered the matter in light of Rule 18 of the Special Economic Zones Rule, 2006.

Committee observed that, the proposed item of manufacturing i.e. Foundry Sand (ITC (HS) code: 26100090) is a restricted item of export as per extant Indian Trade Classification (Harmonized System) of Export and Import Items.

And it was further observed, that the unit will procure the raw materials viz. Chromium Oxide Black (ITC HS code: 28199000) and Refractory Mortar (ITC HS code: 38160000) from Domestic Tariff Area, and these are not restricted/prohibited items of export as per extant Indian Trade Classification (Harmonized System) of Export and Import Items.

Committee, therefore, approved the subject proposal, and noted the projected FOREX balance sheet for five years (Rs 35 crore exports cumulatively, with zero imports), proposed investment of Rs 100.00 lakh in capital goods and proposed employment of 15 people (with 5 women).

Agenda No. 182.4 : Monitoring of Annual Performance of SEZ units.

Sl. No.	Name of the Unit	Name of the Zone	Period of Monitoring	Observations/Directions
i.	M/s Cognizant	Kolkata IT	2023-24	1. Positive Net Foreign Exchange

	Technology Solutions India Pvt Ltd, Unit I	Park	(5 th year of 3 rd block)	(NFE), for the year and cumulatively. 2. Pending FOREX realization: NIL
ii.	M/s Midas DFS Pvt Ltd	FSEZ	2022-23 (3 rd year of 4 th block)	1. No activity in the block (zero exports/NFE). It was therefore decided to issue Show Cause Notice to the unit as to why the Letter of Approval should not be cancelled u/s 16 of the Special Economic Zones Act, 2005 for contravention of their obligation. 2. Pending FOREX realization: NIL 3. Pending rental dues : Rs 8,99,245.95 as on 30.06.2024. It was advised to take necessary actions for immediate realization of the pending dues.
iii.	M/s J.V. Gokal & Co. Pvt Ltd.	FSEZ	2021-22 & 2022-23 (3 rd & 4 th year of 4 th block)	1. Positive NFE, for the years and cumulatively. 2. Pending FOREX realization: NIL. 3. Pending rental dues : Rs 1,86,682.00 as on 30.06.2024. However, Secretary, FSEZ Authority stated that the unit has paid the rental dues.
iv.	M/s Tata Consultancy Services Limited	Candor	2023-24 (3 rd year of 3 rd block)	1. Positive NFE, for the year and cumulatively. 2. Pending FOREX realization: Rs 3,83,54,000.00. It was advised to regularly follow up with the unit for early realization of the FOREX.
v.	M/s Tata	Candor	2023-24	1. Positive NFE, for the year and

	Consultancy Services Limited		(4 th year of 3 rd block)	cumulatively. 2. Pending FOREX realization: Rs 9,09,000.00. It was advised to regularly follow up with the unit for early realization of the FOREX.
vi	M/s Tata Consultancy Services Limited	Candor	2023-24 (4 th year of 3 rd block)	1. Positive NFE, for the year and cumulatively. 2. Pending FOREX realization: Rs 12,26,000.00. It was advised to regularly follow up with the unit for early realization of the FOREX.
vii.	M/s Tata Consultancy Services Limited	Candor	2023-24 (2 nd year of 3 rd block)	1. Positive NFE, for the year and cumulatively. 2. Pending FOREX realization: Rs 54,09,45,000.00. It was advised to regularly follow up with the unit for early realization of the FOREX.
viii	M/s Tech Mahindra Ltd	DLF	2023-24 (3 rd year of 3 rd block)	1. Positive NFE, for the year and cumulatively. 2. Pending FOREX realization: NIL.

(Abhishek Sanyal)
Deputy Development Commissioner

F. No.1(82)/182nd UAC/2024

Date: 02.09.2024

Copy to Committee members:-

1. The Principal Commissioner of Customs(Airport & Administration)
Air Cargo Complex,
Netaji Subhas Chandra Bose Airport
Kolkata- 700052
2. Principal Chief Commissioner,
Central Goods and Services Tax, Kolkata South Commissionerate

GST Bhawan, Rajdanga Main Road
180 Shantipally, R.B. Connector, Kolkata

3. Principal Chief Commissioner
Central Goods and Service Tax, Kolkata North Commissionerate
GST Bhawan, Rajdanga Main Road
180 Shantipally, R.B. Connector, Kolkata-700107
4. Additional Director General of Foreign Trade
Government of India, 4, Esplanade East
Kolkata-700069 Shri Subrata Ghosh, Chief Engineer
West Bengal Pollution Control Board, Govt. of West Bengal
Deptt. Of Environment, Paribesh Bhawan
10A, Block-LA, Sector-III,
Bidhannagar, Kolkata-700 106.
5. Executive Director
West Bengal Industrial Development Corporation
23, Camac Street,
5th Floor, Kolkata-700017
6. West Bengal Pollution Control Board,
Alipore Regional Office
12, Biplabi Kanai Lal Bhattacharjee Sarani
Minority Bhavan
5th Floor, Alipore, Kolkata-27
7. West Bengal Pollution Control Board
Salt Lake RO Office
Mani Square, Block No. 81T, Western, Western Side
8th floor, 164/1, Maniktala Main Road
Kolkata-700107

List of participants:**A. From O/o Zonal Development Commissioner.**

1. Shri Abhishek Sanyal, Dy. Development Commissioner, Falta SEZ
2. Shri Parthasarathi Ghosh, Deputy Development Commissioner, Falta SEZ
3. Shri Prasanta Kumar Panda, Assistant Development Commissioner, FSEZ
4. Shri Pradeep Kumar Mohapatra, Assistant Development Commissioner, FSEZ
5. Shri RanjitBasak, Assistant Development Commissioner, FSEZ
6. Shri Sashi Ranjan Sharma, Assistant Development Commissioner, FSEZ
7. Shri Biswanath Kundu, Assistant Development Commissioner, FSEZ

B. From Members

1. Shri. Lakshmikanta Halder, Joint DGFT, representing Additional DGFT, Kolkata
2. Shri Soham Dutta, EA, representing West Bengal Industrial Development Corporation
3. Shri Rajesh Kumar, Superintendent of Customs, representing Customs, Air Cargo Complex
4. Shri Debasish Biswas, Assistant Commissioner, representing GST South Commissionerate
5. Shri Debasish Mukhopadhyay, Assistant Commissioner, representing GST North Commissionerate
6. Smt. Sarmistha Kundu, Environmental Engineer, representing West Bengal Pollution Control Board
7. Shri T.K. Biswas, Executive Engineer, representing West Bengal Pollution Control Board