



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

234/4 एजेसीबोसरोड, कोलकाता-700 020/ 234/4 AJC Bose Road, Kolkata-700 020;

टेलीफोन /Phone:2287-2263,2287-7923,2281-3117; फ़ैक्स /Fax : (033)2287-3362;

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Falta SEZ



No. FSEZ/LIC/C-36/2021/ 583, 584, 585, 586

Date : 14.08.2023

SHOW CAUSE NOTICE

WHEREAS, M/s. Cloom Trading Private Limited having their registered office at 111, 1st Floor, 15A/ 15B Supariwala Estate, Tata Road No.2, Roxy Cinema Opera House, Girgaon, Mumbai, 400004 (hereinafter referred as Unit) had been permitted vide Letter of Approval No. FSEZ/LIC/C-36/2021/2076 dated 12.11.2021 (hereinafter referred as LOA) for establishment of an unit in Falta Special Economic Zone, Falta for trading of electronic items, viz. (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, the Unit executed Bond-cum- Legal Undertaking with this office as per Sl.No. (i) of the LOA and the same was accepted by this office.

WHEREAS, Rule 19(4) of Special Economic Zone 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 Special Economic Zone 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.S33-11/2022 Adjn (A&A)** dated 06/04/2023 issued to the Unit by the 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 Regulations) Act, 1992:**

WHEREAS, Rule 71 of Special Economic Zone Rules 2006 says, *"Export value of goods, software and services may be realized and repatriated as per instructions of the Reserve Bank of India issued from time to time."*

WHEREAS, as per the aforesaid SCN served by the O/o the Principal Commissioner of Customs (Airport & A.C.C), Kolkata, the Unit has pending Foreign Exchange realization against the Shipping Bills through which the Unit exported the electronic items, **which tantamount to gross violation of Rule 71 of Special Economic Zone Rules 2006 and Foreign Trade (Development and Regulations) 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 Regulations) 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 their Letter of Approval should not be cancelled and actions should not be taken against them, without prejudice to any other actions under other Acts and Rules, for gross misuse and violation of Special Economic Zone Act and Rules read with Foreign Trade (Development & Regulations) Act 1992.


WHEREAS, the Unit may file their written reply within **Thirty (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. Cloom Trading Private Limited
111, 1st Floor, 15A/ 15B Supariwala Estate,
Tata Road No.2, Roxy Opera House,
Girgaon, Mumbai, 400004
Email: info@cloomtrading.com

02 Shri Bajrang Cheepa
Director of M/s Cloom Trading Pvt. Ltd
S/o Shri Bhanwar Lal Cheepa, Ajmer
Rajasthan – 305601
Email: cloomtradingpvtltd@gmail.com

03 Shri Mukesh Kumar Verma
Director of M/s Cloom Trading Pvt. Ltd
S/o Shri Dhanesh Chand Verma
Khailand Market, Barf Factory Ke Pass
Bijainagar, Ajmer, Rajasthan- 305624
Email: mkumarverma19@gmail.com

Copy to :

1. O/o The Principal Commissioner of Customs (Airport & A.C.C.) in r/o SCN No.S33-11/2022 Adjn (A&A) dated 06/04/2023


(Satish Kumar)

**Zonal Development Commissioner
Falta Special Economic Zone**

जारी किया / ISSUED
हस्ताक्षर / SIGNATURE
दिनांक / DATE 14/08/23




सतीश कुमार / SATISH KUMAR
विकास आयुक्त / DEVELOPMENT COMMISSIONER
भारत सरकार / GOVT. OF INDIA
वाणिज्य एवं उद्योग मंत्रालय / Ministry of Commerce & Industry
फलता विशेष आर्थिक क्षेत्र / FALTA SPECIAL ECONOMIC ZONE
निजाम पैलेस, कोलकाता- 700 020 / NIZAM PALACE, KOLKATA-700 020