

Minutes of the 120<sup>th</sup> Unit Approval Committee Meeting of Kandla SEZ held on 02.11.2017 at 12:00 hrs. under the Chairmanship of Shri Upendra Vasishth, Development Commissioner, Kandla Special Economic Zone.

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**Following were present:**

1. Shri. Krishan Kumar : Joint Development Commissioner, KASEZ.
2. Shri. Lalit P. Jain : Additional Commissioner of Income Tax, Gandhidham.
3. Shri. S. C. Sahoo : Assistant Commissioner, Customs, Kandla, Gandhidham-Representative of Commissioner of Customs Kandla.
4. Shri. P. C. Ravindran : Assistant DGFT, Rep. of Jt. DGFT, Rajkot.
5. Shri. Jaykumar S. Shah: Manager, DIC, Bhuj.

**Absentees:-**

1. Director (Banking)
2. SDM
3. GPCB

**Review/Confirmation of the minutes of last meeting (119<sup>th</sup> UAC)  
of the Approval Committee: -**

Minutes of the last meeting of Approval Committee was confirmed.



## **120.1 MISCELLANEOUS ITEMS**

### **AGENDA ITEM NO. 120.1.1**

#### **Intimation regarding merger, Change in Directors and change in name of the company in respect of M/s IFGL Exports Limited.**

M/s IFGL Exports Limited, Kandla SEZ is an approved unit vide LoA No. KASEZ/IA/32/2007-08/8762 dated 07.11.2007 for authorized operations of manufacture & Service of 'Refractories (shaped / unshaped), Equipment, Application, repairs and maintenance of Refractories and Equipment'. Trading activity of 'Refractories (ITC (HS) Code 6903, Castables (Refractory cements, mortars, (ITC (HS) Code 3816), Concretes and similar compositions, other than products of heading 3801, and accessories for use alongwith above items, ITC (HS) Code 8454. The validity of their LoA is upto 31.10.2021.

The said unit vide its letter dated 23.09.2017 has intimated that M/s IFGL Refractories Limited, Orissa, a Public Limited Company, has merged into M/s IFGL Exports Limited, Kolkata, having its above SEZ unit in Kandla SEZ, in view of the Order dated 23.08.2017 passed by the Hon'ble National Company Law Tribunal, Kolkata Bench ("Tribunal") under the scheme of Amalgamation.

The Approval Committee after due deliberation has taken note of Court approved Amalgamation of unit, change in Directors and change in name of the company from M/s IFGL Exports Limited to M/s IFGL Refractories Limited.



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**AGENDA ITEM NO. 120.1.2**

**Review of the case of M/s OPG Power & Infrastructure P. Ltd. as Co-Developer.**

Ministry vide letter No. F.1/10/2011-SEZ dated 17.03.2015 has approved the proposal of M/s OPG Power & Infrastructure Pvt. Ltd. as Co-Developer for providing infrastructure facilities in the KASEZ.

M/s OPG Power & Infrastructure Pvt. Ltd. vide letter dated 01.04.2015 had informed that they accepted all the terms and conditions indicated in the Ministry's letter No. F.1/10/2011-SEZ dated 17.03.2015.

The said case was placed before the 91<sup>st</sup> UAC held on 04.02.2016 to review further progress/developments made by the said co-developer.

The representative of the co-developer informed to the Committee that they have approached Gujarat Electricity Regulatory Commission for deemed distribution licence of Electricity. However, they came to know that the Govt. of India is reviewing the Power Policy and is expected to release it shortly. It was also informed that Gujarat Electricity Rules were also going to be amended. Therefore, they were waiting for new power policy and amended Electricity Rules for further development.

Again, for reviewing the performance of the Co-Developer, the said case was placed before the 100<sup>th</sup> UAC Meeting held on 23.08.2016. Wherein Shri Gulab Gidwani, Vice President, appeared before the Approval Committee and informed that they were expecting new guidelines on 'Demand Distribution License'.

But till date no correspondences in the matter is received from them, neither they have filed any Annual Performance Report/HPR/QPR.

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The said proposal of the unit was again placed before the 119<sup>th</sup> UAC meeting held on 04.10.2017. As nobody appeared for the personal hearing to explain the proposal, hence, it was decided to defer the proposal. Now, also a letter dated 02.11.2017 has been received from M/s. OPG Power about non-availability of their Director to attend the UAC meeting.

The Approval Committee has discussed the issue in length and after due deliberation decided to recommend their case to BoA for cancellation of co-developer status as no benefits has been given/availed by the unit and no action has been taken by the co-developer towards implementation of their co-developer project since more than two years of grant of LOA.

**AGENDA ITEM NO. 120.1.3**

**Request of M/s. Transworld Furtichem Pvt. Ltd. (Unit-II) for permission of Trading Activity of Technical Grade Urea in their existing Letter of Permission (Trading Division)**

M/s Transworld Furtichem Pvt. Ltd. (Unit-II), Plot No. 345, Sector-IV, Kandla Special Economic Zone, Gandhidham is an approved unit for trading activity.

Now, the said unit vide letter dated 27.10.2017 requested for permission of trading activity of Technical Grade Urea in their existing Letter of Permission as the same was not approved in the 119<sup>th</sup> Unit Approval Committee held on 04.10.2017.

Shri Dilip Gadia, Director and Shri Lal Advani, DGM of the company appeared before the Approval Committee and explained their proposal.

Shri Gadia stated that their KASEZ unit have been regularly importing Urea for captive consumption as raw material and under trading activity for exports as well for Domestic market. Further only fertilizer grade urea are required to be imported through STEs. Further, he stated that DGFT has

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also vide Notification No. 04 dated 28.04.2015 had allowed importers in Domestic Tariff Area to freely import industrial urea/technical grade urea subject to actual user condition and vide Notification No. 26 dated 09.09.2016 the DGFT has revised the import policy and had permitted Industrial Urea/Technical Grade Urea freely importable for all DTA importers relaxing the actual user condition. Thus, anybody can import technical grade urea and sell it. Further he informed that since inception of their unit in KASEZ they had only imported technical grade urea and had not made DTA procurement. They import technical grade urea from gulf countries/China.

The UAC largely agreed to their points however it was decided to request representative of Customs to give their opinion based on the practice being followed at Customs, Kandla and other Ports. If there opinion is recommending the import then it may be approved on file otherwise matter may be put up in the next UAC.

**AGENDA ITEM NO. 120.1.4**

**Ratifications of issues already approved on file.**

The Approval Committee ratified the permission granted by the Development Commissioner, KASEZ to M/s Transworld Furtichem Pvt. Ltd. (Unit-II) and M/s Creative Free Trade Warehousing Pvt. Ltd., for clearance of Technical Grade Urea lying in stock at their KASEZ premises and are in the process of imports/in pipeline in view of UAC decision taken in its 119<sup>th</sup> meeting held on 04.10.2017 withdrawing the permission granted for trading and warehousing of Urea of any grade.

The meeting ended with vote of thanks of the chair.



**(UPENDRA VASISHTH)**  
Development Commissioner