

Broad Guidelines for setting up a Unit in NSEZ or other SEZ including Pvt. SEZs under the jurisdiction of Zonal DC, NSEZ:

An applicant planning to setup a unit in NSEZ or other SEZ including Pvt. SEZs needs to make a physical application (refer point 4 below) to the Office of Development Commissioner, Noida SEZ presently located at Noida Dadri Road, Phase-II, Noida-201305, Distt. Gautam Budh Nagar(UP). The application may also be sent through email to <newunit@nsez.gov.in>

For the purpose of setting up of Unit in SEZ, an applicant needs to follow the following procedure:

- (1) **Creating user ID:** This is the initial stage for setting up a SEZ unit. Applicant need to visit <<https://www.sezonline-ndml.com>> (henceforth referred as SEZ Online) and is required to create User ID and password under New Unit Registration (NUR) category. While creating the User ID, the applicant should provide basic details such as Name, Phone no, Email ID, User category (Unit/Developer). Further, applicant also needs to select correct name of SEZ where they want to set up the unit.
- (2) **Raising a Demand Draft:** A Demand Draft of ₹ 5,000/- needs to be drawn in favour of "Pay & Accounts Officer, Ministry of Commerce & Industry, Department of Commerce, payable at New Delhi" and submitted along with physical application.
- (3) **Filing Application in SEZ Online:** Applicant needs to fill and submit the Application in Form F through online mode (real time only) in the SEZ Online. Relevant details that the application requires, is mentioned below, of which applicant is required to fill the details as applicable to it:
 - (i) Basic details such as Applicant name, Demand draft details, Director details etc;
 - (ii) Proposed activity to be carried out in SEZ unit i.e. items of manufacture/ trading goods and/or services including their ITC(HS) Code, production capacity etc.;
 - (iii) Details of source of finance as to Internal finance or Equity issue etc;
 - (iv) Pattern of shareholding in the paid-up capital by foreign equity and resident holding;
 - (v) Details of Foreign exchange outflow and inflow;
 - (vi) Details of Letter of Approvals/Letter of Intents issued to applicant under SEZ/EOU/STP/EHTP scheme.

- (vii) Requirement of infrastructure in respect of Land, built-up area, water, power etc;
- (viii) Value of investments in plant and machinery by way of indigenous or import mode;
- (ix) Value of procurement of capital goods and materials in respect of import or indigenous mode;
- (x) Details as to involvement of foreign collaborator in respect of foreign technology agreement;

(4) Physical Application: Once the application has been filed Online, the applicant needs to submit the print out of application filled online (*All the pages of FORM-F should be duly signed by the Director / Partner/ Authorised Person*) along with following annexures (in hard copy) to the O/o Development Commissioner, NSEZ:

- Covering letter on letter head of the firm/company duly signed by the authorized Partner/ Director/ authorized signatory and indicating name of SEZ where they want to set up the unit.
- **Affidavit**, in proper format, on non-judicial stamp paper of Rs. 100/- duly notarized.
- Copy of **PAN Card of firm/company**.
- A **DD of Rs.5000/-** in favour of "Pay & Accounts Officer, Ministry of Commerce & Industry, Department of Commerce, payable at New Delhi"
- Company / Firm **Profile & Vision**.
- Complete/Detailed **Project Report** incorporating all relevant information on the project & giving therein feasibility report, including details on which basis export projections have been worked out.
- Promoters'/directors' **bio-data** (incorporating their background, professional qualification and experience etc).
- **ITC HS Code of proposed activities, cost of the project and means of finance** with break up details, **projected profitability statement** and break-up of projected foreign exchange outgo.
- **In case of gems & Jewellery units:** Separate Value addition details in respect of Plain & Studded Gold/ Silver/Platinum Jewellery.
- Manufacturing process flow chart and Cash Flow Statement (as per format attached).
- Copy of Memorandum & Articles of Association (**M&AoA**) in case of Pvt. Ltd. or Ltd. Company.

- Self-certified copy of **lease deed in support of Registered/Head Office address.**
- **Form-32/D.I.R.-12 of appointment** of directors (other than the first directors as mentioned in M&AoA) of company. In case of cessation of first director(s), Form-32/D.I.R.-12 showing their **cessation** may also be submitted.
- Copy of **Board Resolution** (also giving the specimen signature of authorized director/person) in case of company and copy of power of attorney/authority in case of partnership firms.
- Copy of **Registered Partnership deed** in case of partnership firm.
- Copies of **residential address proof** (Passport/Ration Card/Voter ID/Driving Licence), **PAN Card** and **IT returns** (for last three years - along with annexures/computation sheet) in respect of all directors/partners/Proprietor, as the case may be.
- Copy of Buy-back agreement/marketing tie up/orders received, if any.
- Undertaking to fulfil the applicable environmental and pollution control norms.
- Copy of Importer-Exporter Code (**IEC**), if already obtained.
- If a company/firm is already incorporated/ working, copies of COMPLETE **audited balance sheet** of the company/firm for last three years. In case of new company/firm, copies of **ITRs** (along with annexures) of directors/partners for last three years.
- Separate **lists of imported & indigenous capital goods and raw material** with cost break up corresponding to the requirement shown in application.
- Details of **present activities** of the applicant company/firm.
- Copy of sanction letter from bank/Financial Inst. in support of loan/financial assistance, if any, for the proposed project.
- Whether any exemption from Income Tax Deptt. is being claimed? If yes, the details under which section and whether Income Tax Deptt. has disallowed exemption at any time?
- Whether any penalty has been imposed by the Income Tax Deptt.? If yes, complete details are to be furnished.
- Details of transaction with sister concerns raising issue of transfer pricing, if any.
- Total years of operations and in which line of business.
- Authenticated documents showing the current **shareholding details** of applicant company/firm.

- Provisional Offer of space from the Developer (*if unit is proposed to be set up in a private SEZ*)
- (5) The list of the documents mentioned above is an indicative list and the applicant needs to submit only those documents that are applicable to them which may differ depending on the type and nature of Unit that the applicant intends to set up.
 - (6) **Verification of Application:** Applications received will be processed by O/o Development Commissioner before forwarding it to the Approval Committee (UAC) for consideration. Upon examination, the O/o, DC may raise a request for submitting additional documents, if required and applicant shall submit those documents within the stipulated time period as prescribed in the demand.
 - (7) **Attending the Meeting:** Applicant needs to attend the Approval Committee meeting as notified by the Development Commissioner and explain their proposal to the members of the Approval Committee.
 - (8) The Approval Committee may, either approve the proposal without modification, or approve the proposal with modifications subject to such terms and conditions as it may deem fit to impose, or reject the proposal in accordance with the provisions of sub-section (8) of Section 15 of SEZ Act, 2005
 - (9) In case the proposal is approved, a Letter of Approval (LOA) shall be issued to the applicant indicating the name of authorized operations as well as terms & conditions of granting the approval.

AFFIDAVIT

I, s/oR/ohereby solemnly affirm as follows:

1. That I am a **director/partner/proprietor*** of M/s having its Head Office/Regd. Office at
2. That I am duly authorized to execute this affidavit.
3. That I hereby confirm that the statement/information given in FORM – F and other enclosed documents for making application for setting up a unit in NSEZ, are correct to the best of my knowledge and belief. I shall abide by any other condition, which may be stipulated by the Development Commissioner.
4. That I fully understand that any Permission Letter/Approval granted to me/us on the basis of the statement/information furnished is liable to cancellation or any other action that may be taken having regard to the circumstances of the case if it is found that any of the statements/information or facts therein furnished are incorrect or false.

Deponent

Verification:

I, do hereby verify that contents mentioned are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Verified on this day of, 2020.....at

Deponent

*strike out which is not applicable.

Affidavit should be given on Rs. 100/- stamp paper duly notarized.

Break-up of Foreign Exchange Outgo

<u>1. Foreign Exchange outgo on:</u>		1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year	Total (5 yrs) In Rs. Lakhs
(i)	Import of machinery						
(ii)	Import of raw materials and components						
(iii)	Import of spares and consumables						
(iv)	Repatriation of dividends and profits to foreign collaborators						
(v)	Royalty						
(vi)	Lump sum know-how fee						
(vii)	Design and drawing fee						
(viii)	Payment of foreign technicians						
(ix)	Payment on training of Indian technicians abroad						
(x)	Commission on Export etc.						
(xi)	Foreign Travel						
(xii)	Amount of interest to be paid on external commercial borrowing/ deferred payment credit (specify details)						
(xiii)	Any other payments (specify details)						
	Total (i) to (xiii)						

Fund Flow Statement for new unit application

Fixed assets:

Cost of fixed assets:

Plant and machinery: Rs-----

Building and amenities: Rs-----

Any other fixed assets (please specify): Rs-----

Funding of fixed assets¹:

i. Own funds:

a. Immovable assets (house): Rs-----

b. Cash in hand Rs-----

c. Financial Instruments Rs-----

d. Other sources (please specify) Rs-----

ii. Funds from other persons:

a. Relatives (please specify) Rs-----

b. Other persons (please specify) Rs-----

iii. Financial institutions:

a. Banks (please specify) Rs-----

b. Non-banking institutions (please specify) Rs-----

Working capital:

Number of exports consignments in first year -----

Value of first export consignment(product, quantity, destination etc) Rs-----

Value of raw materials, intermediates, components, spares of first export consignment

Rs-----

Funding of first export consignment²

i. Own funds:

a. Other Immovable assets: Rs-----

b. Other Cash in hand Rs-----

c. Other Financial Instruments Rs-----

d. Other sources (please specify) Rs-----

¹ Provide documentary proof of the funding

² Provide documentary proof of the funding

- ii. Funds from other persons:
 - a. Other Relatives (please specify) Rs-----
 - b. Other persons (please specify) Rs-----
- iii. Financial institutions:
 - a. Banks (please specify) Rs-----
 - b. Non-banking institutions (please specify) Rs -----

Export realization

- i. Payment mode: -----
- ii. Terms: -----
- iii. Instruments planned: -----

Value of second export consignment(product, quantity, destination etc) Rs-----

Value of raw materials, intermediates, components, spares of second export consignment:

Rs-----

Funding of second export consignment³

- i. Own funds:
 - a. Receivables of first consignment: Rs-----
 - b. Other Cash in hand Rs-----
 - c. Other Financial Instruments Rs-----
 - d. Other sources (please specify) Rs-----
- ii. Funds from other persons:
 - a. Other Relatives (please specify) Rs-----
 - b. Other persons (please specify) Rs-----
- iii. Financial institutions:
 - a. Banks (please specify) Rs-----
 - b. Non-banking institutions (please specify) Rs -----

Export realization

- i. Payment mode: -----
- ii. Terms: -----
- iii. Instruments planned: -----

Yearly requirements of raw material, intermediates, components, spares: Rs-----

³ Provide documentary proof of the funding

Flowchart for manufacturing

