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

An applicant planning to **set up** a unit in NSEZ or other SEZ, including Private SEZs, needs to make a physical application (refer to point 4 below) to the Office of the Development Commissioner, Noida SEZ, presently located at Noida–Dadri Road, Phase-II, Noida, District Gautam Budh Nagar (UP) 201305.

For the purpose of setting up a unit in an SEZ, an applicant needs to follow the procedure below:

(1) Creating a User ID: This is the initial stage for setting up an SEZ unit. The applicant needs to visit https://www.sezonline-ndml.com (henceforth referred to as "SEZ Online") and is required to create a User ID and password under the New Unit Registration (NUR) category. While creating the User ID, the applicant should provide basic details such as name, phone number, email ID and user category (Unit/Developer). Further, the applicant also needs to select the correct name of the 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 the physical application.

(3) Filing the Application on SEZ Online: The applicant needs to fill in and submit the application in Form F through the online mode (real time only) on SEZ Online. The relevant details required in the application are mentioned below; the applicant is required to fill in only those details applicable to it:

i. Basic details such as applicant name, Demand Draft details, director details, etc.;

ii. Proposed activity to be carried out in the SEZ unit, i.e. items of manufacture / trading goods and/or services, including their ITC (HS) Code, production capacity, etc.;

iii. Details of the source of finance, i.e. 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 the Letter of Approval (LoA) / Letter of Permission (LoP) / Letter of Intent (LoI) issued to the applicant under the SEZ/EOU/STP/EHTP/BTP 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 the involvement of any foreign collaborator in respect of a foreign technology agreement.

(4) Physical Application: Once the application has been filed online, the applicant

needs to submit a printout of the application filled in online (*all pages of Form F should be duly signed by the Director / Partner / Authorised Person*) along with the following annexures (in hard copy) to the O/o Development Commissioner, NSEZ:

- Covering letter on the letterhead of the firm/company, duly signed by the authorised Partner / Director / authorised signatory, indicating the name of the SEZ where they want to set up the unit.
- Affidavit, in the proper format, on non-judicial stamp paper of Rs. 100/-, duly notarised.
- Copy of the PAN Card of the firm/company.
- A Demand Draft (DD) of Rs. 5,000/- in favour of “Pay & Accounts Officer, Ministry of Commerce & Industry, Department of Commerce,” payable at New Delhi.
- Company / firm profile and vision.
- Complete/detailed Project Report incorporating all relevant information on the project and giving therein a feasibility report, including the basis on which export projections have been worked out.
- Promoters' / directors' bio-data (incorporating their background, professional qualification, 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 the format attached).
- Copy of the Memorandum & Articles of Association (M&AoA) in case of a Private Limited or Public Limited company.
- Self-certified copy of the lease deed in support of the Registered / Head Office address.
- Form-32 / DIR-12 for the appointment of directors (other than the first directors mentioned in the M&AoA) of the company. In case of cessation of any first director(s), Form-32 / DIR-12 showing their cessation may also be submitted.
- Copy of the Board Resolution (also giving the specimen signature of the authorised director/person) in case of a company, and a copy of the power of attorney/authority in case of partnership firms.
- Copy of the Registered Partnership Deed in case of a partnership firm.
- Copies of residential address proof (Passport / Ration Card / Voter ID / Driving Licence), PAN Card and IT returns (for the last three years, along with annexures/computation sheet) in respect of all Directors / Partners / Proprietor / Trustee, as the case may be.
- Copy of the buy-back agreement / marketing tie-up / orders received, if any.
- Undertaking to fulfil the applicable environmental and pollution-control norms.
- Copy of the Importer-Exporter Code (IEC), if already obtained.
- If a company/firm is already incorporated/working, copies of the complete audited balance sheet of the company/firm for the last three years. In case of a new company/firm, copies of ITRs (along with annexures) of directors/partners for the last three years.
- Separate lists of imported & indigenous capital goods and raw material, with cost break-up corresponding to the requirement shown in the application.
- Details of the present activities of the applicant company/firm.
- Copy of the sanction letter from the bank / financial institution in support of the loan / financial assistance, if any, for the proposed project.
- Whether any exemption from the Income Tax Department is being claimed. If yes, provide details of the section under which it is claimed and whether the Income Tax Department has disallowed the exemption at any time.
- Whether any penalty has been imposed by the Income Tax Department. If yes, complete details are to be furnished.

- Details of any transaction with sister concerns raising the issue of transfer pricing, if any.
- Total years of operation and the line(s) of business.
- Authenticated documents showing the current shareholding details of the applicant company/firm.
- Provisional offer of space from the Developer (if the unit is proposed to be set up in a private SEZ).

(5) The list of documents mentioned above is indicative; the applicant needs to submit only those documents that are applicable to them, which may differ depending on the type and nature of the unit that the applicant intends to set up.

(6) Verification of Application: Applications received will be processed by the O/o Development Commissioner before being forwarded to the Approval Committee (UAC) for consideration. Upon examination, the O/o DC may raise a request for additional documents, if required, and the applicant shall submit those documents within the stipulated time period as prescribed in the demand.

(7) Attending the Meeting: The 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, 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 the 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 the authorised operations as well as the terms & conditions of granting the approval.

AFFIDAVIT

I, ……, S/o ……, R/o ……, hereby solemnly affirm as follows:

1. That I am a Director / Partner / Proprietor / Trustee* of M/s ……, having its Head Office / Registered Office at …… .
2. That I am duly authorised to execute this affidavit.
3. That I hereby confirm that the statements/information given in Form-F are correct and other enclosed documents for making the 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 that 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 statements/information furnished is liable to cancellation, or to 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 furnished therein are incorrect or false.

Deponent

Verification:

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

Verified on this …… day of ……, **20___**, at …… .

Deponent

*Strike out whichever is not applicable.

The affidavit should be given on Rs. 100/- stamp paper, duly notarised.

Break-up of Foreign Exchange Outgo

Sr.	Foreign exchange outgo on:	1st Year	2nd Year	3rd Year	4th Year	5th 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 exports, 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 assets[1]:

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 export consignments in the first year: _____

Value of first export consignment (product, quantity, destination, etc.): Rs. _____

Value of raw materials, intermediates, components and spares of the first export consignment: Rs. _____

Funding of first export consignment[2]:

I. Own funds:

a. Immovable assets..... 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. _____

Export realisation:

I. Payment mode: _____

II. Terms: _____

III. Instruments planned: _____

Value of second export consignment (product, quantity, destination, etc.): Rs. _____

Value of raw materials, intermediates, components and spares of the second export consignment: Rs. _____

Funding of second export consignment[3]:

I. Own funds:

a. Receivables of first consignment..... 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. _____

Export realisation:

I. Payment mode: _____

II. Terms: _____

III. Instruments planned: _____

Yearly requirement of raw materials, intermediates, components and spares: Rs. _____

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[1] [2] [3] *Provide documentary proof of the funding.*

Flowchart for Manufacturing (illustrative)

The original flowchart was overlapping and unreadable. It has been redrawn as a clean vertical flow. Replace the sample HS codes with your actual product codes.

