

PROCEDURE FOR SETTING UP A UNIT IN PRIVATE SEZ AND APPROVAL MECHANISM

1. For setting up a unit in Private Special Economic Zone, the applicant has to apply online at <https://sezoneonline-ndml.co.in> and submit the print out of the online filled in Form F, duly signed along with the following documents:
 - Print out of online **form-F** of SEZ Rules, 2006 duly filled in with **each page** of application / relevant documents **duly signed**.
 - A **DD of Rs.5000/-** in favour of "Pay & Accounts Officer, Ministry of Commerce & Industry, Department of Commerce, payable at New Delhi"
 - **Affidavit**, in proper format, on non-judicial stamp paper of Rs. 100/- duly notarized.
 - Copy of **PAN Card of firm/company**.
 - Complete **Project Report** incorporating all relevant information on the project & giving therein feasibility report, promoters/directors **bio-data**, **process flow chart**, **cost of the project and means of finance** with break up details, **projected profitability statement**. Details of **present activities** of the applicant company/firm.
 - Copy of Memorandum & Articles of Association (**M&AoA**) along with **Certificate of Incorporation** in case of Pvt. Ltd. or Ltd. /LLP Company. **It may be ensured by applicant that the nomenclature of proposed activities is mentioned in MOA.**
 - Form **INC 22** in support of Regd. Office address in case of company and self-certified copy of **Regd. lease deed in support of Head Office address in case of Firm**.
 - **Form-32 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/DIR 11-12 showing their **cessation** may also be submitted.
 - Copy of **Board Resolution of** authorised 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/LLP.
 - 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 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 in respect of proposed project.**
 - Copy of Import-Export 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 promoters/partners for last three years or documents in support of source of finance.
 - Separate **lists of imported & indigenous capital goods and raw material** with cost break up corresponding to the requirement shown in Form F.
 - Copy of sanction letter from bank/Financial Inst. in support of loan/financial assistance, if any, for the proposed project.
 - **Current shareholding details** (viz Name of shareholder, No. and percentage of shares held) of applicant company/firm **duly certified by CA.**

- **Provisional offer of space** from Developer/Co-Developer **for FIVE years.**
- **Specific Information pertaining to Income Tax Department, to be submitted with Project Application to DC, office, NSEZ:**

1. Assessment details/PAN
2. Nature of source of Investment
3. Whether any exemption is being claimed?, under which section?
4. Whether Income Tax Deptt. has disallowed exemption any time?
5. Any penalty imposed by I.T. Department, if yes, give details.
6. Details of transactions with sister concerns raising issue of transfer pricing.
7. Year of production.

- All the above documents/copies should be duly signed/self certified/stamped.

2. Proposals are placed before the Approval Committee or Board, as the case may be, in terms of Rule 17 & 18 of the SEZ Rules, 2006. In case the project is approved, the applicant is issued Letter of approval (LOA).
3. On receipt of the LOA, the unit has to accept the terms and conditions of the LOA within the stipulated time and take further action as per terms & conditions mentioned in the said LOA for implementation of the project.
4. For implementation of the LOA, the unit has to execute Bond cum legal undertaking in form –H of SEZ Rules on a non judicial stamp paper of Rs. 100/- bought from within the state where the SEZ/unit is located and also get the same notarized by a Notary Public registered from the same State.
5. Before doing any activities of export/import in the SEZ, an SEZ unit must obtain IEC.
6. The SEZ Unit must obtain a Registration-cum-Membership Certificate from the EPCES for availing exemptions, drawbacks and concessions under the SEZ provisions.
7. As per Rule 18 (2)(ii) of SEZ Rules, an SEZ unit is required to submit copy of registered lease deed to Development Commissioner concerned within six months from the issuance of LOA.
