

Minutes of the 71st meeting of the Internal Technical Committee under Amended Technology Upgradation Fund Scheme (ATUFS) held on 24.08.2023

The 71st meeting of the Internal Technical Committee (ITC) under Amended Technology Upgradation Fund Scheme (ATUFS) was convened on **24.08.2023** from 11.30 A.M onwards, under the Chairmanship of Shri S. P. Verma, Additional Textile Commissioner in the conference hall of the Office of the Textile Commissioner, Mumbai. The list of participants is attached as Annexure-I.

The agenda points, which were discussed and decisions taken thereof are as under:-

Agenda Point No1: Enlistment of Parent Machinery Manufacturer

M/s Kaeser Kompressoren SE, Germany requested for enlistment of parent unit and subsidiary company M/s Kaeser Compressors India Pvt Ltd as textile machine manufacturer under ATUFS. The unit has submitted given documents as per circular-6:

S No	Documents	Remarks
1	Business License	The unit established in 1919 as per website
2	Embassy Certificate	Signed by Consulate general of India, Munich
3	3 Years Sales Figures	Domestic and overseas sales figures provided
4	Undertaking (MC-1-A-8, C-10, MC-2-81, MC-4-70)	Revised undertaking as per 6 th IMSC Decision
5	ISO9001-2015/ CE Certificate	Verified online and valid till 31.10.2025
6	Technical Literature	Available
7	ATUFS UID Details as per 39 th ITC	UID-ATUFS/2020-21/W/000367, ATUFS/2021-22/P/003151
8	Request from ATUFS/RO	Request from RO- Ahmedabad vide e-mail dated 07.08.2023
9	Audited Balance Sheet	Available
10.	Sample of name plate	Available

M/s Kaeser Compressors (India) Pvt Ltd. – a subsidiary of M/s Kaeser Kompressoren SE, Germany is already enlisted at Sr No- 31 Annexure-III.

Business Practice as declared by the unit:

- Kaeser Compressor India Pvt Ltd is 100% subsidiary of Kaeser Kompressoren SE and is importing this equipment in India.
- In some cases, under EPCG, SEZ and EOU which allows customer to clear the goods at concessional custom duty, Kaeser India signs an High Sea Sales Agreement with customer and the customer clears the material.
- Apart from the above M/s Kaeser Compressor India Pvt Ltd also imports raw material to assemble and test the equipment and sell them in Indian Market.

Decision Taken: The committee examined the submitted documents and decided to call for the inspection report of M/s Kaeser Compressor India Pvt Ltd carried by Powerloom Development Cell for placing in next ITC meeting. In addition to that, TUFs cell also be requested to inform the fallout effect in the matter under reference.

Agenda Point No.2: Request for Change of Effective date in respect of previous request for starting commercial activities from one unit to another unit as per previous ITC decision

M/s. Monforts Fong's Textile Machinery (Zhongshan) Co. Ltd vide letter dated 21.09.2021 through M/s.ATE Enterprises Private limited has informed that M/s. Monforts Fong's Textile Machinery (Macao Commercial Offshore) Co. Ltd. who was doing the commercial activities for M/s. Monforts Fong's Textile Machinery (Zhongshan) Co. Ltd is shifted their commercial activities to M/s. Monforts Fong's Textile Machinery Co. Ltd, Hongkong with effect from 22.02.2021.

In this connection, M/s. Monforts Fong's Textile Machinery (Zhongshan) Co. Ltd submitted self-declaration in their letterhead and consolidated financial statement 2020 (Annual report) of M/s. Monforts Fong's Textile Machinery Co. Ltd, Hongkong.

Decision Taken in 36th ITC dated 10.02.2022: The committee gone through the documents and after detailed discussion, the committee recommended the case to consider change the commercial activities office from Macau to Hong Kong w.e.f. 22.02.2021.

Decision Taken by 27th TAMC dated 13.04.2022: The committee reviewed the case and accepted the recommendations of the ITC.

M/s.ATE Enterprises Private Limited vide email dated 20.06.2022 requested to change the effective date from 22.02.2021 to 31.05.2021 and mentioned due to oversight the manufacturer mentioned date wrongly.

In this regard, they submitted below documents:

- i. M/s. Monforts Fong's Textile Machinery (Zhongshan) Co. Ltd - self declaration
- ii. Declaration from M/s. Monforts Fong's Textile Machinery Co. Ltd, Hongkong
- iii. Business License of M/s. Monforts Fong's Textile Machinery Co. Ltd , Hongkong

Decision taken in 46th ITC dated 19.07.2022: The committee reviewed the matter and decided to call for legal/ government documents in support of their request.

In reference to the decision, the unit submitted below documents vide email dated 27.07.2023 and 07.08.2023,

1. Apostille document(self-declaration letter by M/s. Monforts Fong's Textile Machinery (Zhongshan) Co. Ltd)
2. Business License of M/s. Monforts Fong's Textile Machinery Co. Ltd, Hongkong in support of authentication in the respective place.
 - 08/01/2021 to 07/01/2022 and next year 08/01/2022 to 07/01/2023 (to be renewed every year)

3. Request letter from M/s. Monforts Fong's Textile Machinery (Zhongshan) Co. Ltd

Decision Taken: The committee deliberated and decided not to consider the request of the manufacturer as same was considered based on declaration of the manufacturer. Hence no further revision can be considered now.

Agenda Point No3: Case Forwarded by RO-NAVI MUMBAI - Logo reg.

RO- Navi Mumbai requested to place logo issue in respect of machinery manufacturer M/s. Lasser AG. Switzerland vide letter no. 3(1772)/22/ATUFS/ROM/60 dated 11.08.2023 who supplied MC4-47 (Multi head computerized embroidery machine) to ATUFS beneficiary M/s. KFS Embroidery (ATUFS/2021-22/3309)

During scrutiny, it has found that machine name plate comprises only "LÄSSER⁺". In this regard RO-Navi Mumbai called clarification from the manufacturer and unit has submitted below clarification.

- i. "LÄSSER" is the brand name of M/s. Lasser AG. Switzerland, where AG stands for Public limited company in German.
- ii. The official logo is "LÄSSER⁺" with tag line "Swiss Embroidery Machines".

In this regard RO- Navi Mumbai submitted the following documents in support of the matter,

1. Invoice Copy and Name plate of machinery photo Copy
2. Manufacturer note on their branding exercise, marketing practices

Section Note: The manufacturer is enlisted at serial no.420 in Annexure-III under ATUFS. The logo available in machine name plate, invoice, manufacturer website and documents submitted for enlistment are same.

Decision Taken: The committee examined the submitted documents and decided to call for machine name plate and invoice copy from ATUFS section/RO in respects of other ATUFS claims of the same machine manufacturer.

Agenda Point No4: Enlistment request of M/s. Shenzhen Homer Textile Tech Co., Ltd., China

M/s. Shenzhen Homer Textile Tech Co., Ltd. submitted all required documents (applied for MC2-48 - Digital/Ink jet printing machines) as per circular no.6 (2018-2019 series) with UID details. The enlistment request received from ATUFS section and RO- Ahmedabad as per 60th ITC decision.

In the translated Chinese business license by our official translator, the name appears as "M/s. Shenzhen Hongmei Digital textile Technology Co. Ltd". In this regard unit submitted that direct translation leads to that difference however the application name is the correct one and followed in all commercial documents and machine name plate.

The enlistment of M/s. Shenzhen Homer Textile Tech Co., Ltd was discussed in the 68th ITC meeting dated 23.06.2023 and decided to call additional clarifications and documents in respect of submitted documents as per 65th ITC decision dated 03.05.2023 regarding parent group company activities. i.e. M/s. Shenzhen Homer Textile Tech Co., Ltd is a subsidiary unit of Hanglory group.

Now, the unit submitted below documents and clarification in reply to this office query email dated 23.06.2023 as per 68th ITC decision.

- Declared subsidiary company activities & relationships by the Parent unit and details as below,
 - Out of 7 subsidiary manufacturing units, only M/s. Shenzhen Homer Textile Tech Co., Ltd and M/s. Shenzhen CNTOP Digital Equipment Co. Ltd involved in activity related to Indian customers.
 - The enlistment of M/s. Shenzhen CNTOP Digital Equipment Co. Ltd is not required as of now and will apply if require in future.
 - Other subsidiary companies were not involved in the past or near future otherwise their machines not considered for subsidy.
- The parent unit M/s. Shenzhen Hanglory Digital Printing Group Co. Ltd is not involved in any commercial activities and transactions with Indian Customer. Hence, not applied for enlistment under ATUFS.
- Sample copies of Commercial Invoice, Machine name plate photo, Bill of Lading, Packing List and Country Of origin.
- Audited Group annual report - 2020 for proving subsidiary relationships among all companies.

Decision taken in 69th ITC dated 13.07.2023: -The committee examined the documents submitted by the manufacturer. The committee deliberated and decided to call documents for enlistment of parent manufacturer i.e. M/s Shenzhen Hanglory Digital Printing Group Co. Ltd which is also involved in Textile machinery manufacturing activities. Only after enlistment of primary manufacture, subsidiary unit viz M/s. Shenzhen Homer Textile Tech Co., Ltd may be enlisted as per ATUFS guidelines

Now the unit submitted below reply letter vide email dated 10.08.2023 in reference to this section email regarding above ITC decision dated 21.07.2023.

"M/s. Shenzhen Hanglory Digital Printing Group Co. Ltd., are not engaged in manufacturing activities of textile machines. We are the holding company and doing only administrative activities. Our subsidiary companies are engaged in manufacturing activities which was already declared vide our declaration letter dated 05.07.2023.

Therefore, we do not need enlistment under ATUFS. So you are requested to kindly do enlistment of our subsidiary company M/s. Shenzhen Homer Textile Tech Co. Ltd. as a manufacturer along with M/s. Han Glory (Hong Kong) Limited as it's authorized agent under ATUF scheme of GOI."

Nce



Section Note:-

Documents	Issued by
Commercial Invoice, Bill of Lading, and Packing List	M/s. Han Glory (Hong Kong) Limited. - authorized agent
Country of Origin and name on machine name plate	M/s. Shenzhen Homer Textile Tech Co. Ltd.- Manufacturer

- M/s. Shenzhen Homer Textile Tech Co., Ltd also requested enlistment of M/s. Han Glory (Hong Kong) Limited, Hong Kong as authorized agent. They submitted original MOU valid for 15 years from 01.01.2016 with .1% commission. Based on online translation of the annual report submitted by the unit, M/s. Han Glory (Hong Kong) Limited, Hong Kong is a subsidiary unit of M/s. Shenzhen Hanglory Digital Printing Group Co. Ltd.

Decision Taken: The committee decided to get the translated version of Audited Group annual report submitted by the parent manufacturer.

Agenda Point No 5: Name Change request - reg.

M/s.ATE Enterprises Private Limited vide email dated 04.08.2023 forwarded the name change request of M/s. TEXPA MASCHINENBAU GMBH & CO. KG, GERMANY who enlisted at serial no.193 in Annexure-III under ATUFS w.e.f. 28.09.2022. The change in name is on account of change of partnership and restructuring. The manufacturer request as follows,

Old Name: M/s. TEXPA MASCHINENBAU GMBH & CO. KG, GERMANY

New Name: M/s. TEXPA GMBH, GERMANY

The unit submitted below documents in support of their request,

1. Copy of notary document regarding name change attested by the Indian Embassy
2. Business registration copy - Before name change and after name change
3. Declaration and reason for name change in unit letterhead ink signed copy.
4. Details of the machines sold after name change.

Section note:

- The registration number and address on old and new business license are same.
- The start date of declared activity is 28.09.2022 in new business license (page-02, point No-20) which is same as per unit request.

Decision Taken: The committee examined the submitted documents such as Business License and Embassy attested notary document by M/s. Texpa GMBH, Germany and accepted the request of the unit for name change w.e.f 28.09.2022.

No