

Minutes of the 75th meeting of the Internal Technical Committee under Amended Technology Upgradation Fund Scheme (ATUFS) held on 09.05.2024

The 75th meeting of the Internal Technical Committee under Amended Technology Up gradation Fund Scheme (ATUFS) was convened on 09.05.2024 from 11.30 AM onwards under the Chairmanship of Shri S. P. Verma, Additional Textile Commissioner in the Conference Hall of the Office of the Textile Commissioner. The list of participants is attached as Annexure-I.

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

Agenda Point No 1: Verification and recommendation of proposals for enlistment of Machinery Manufacturers under ATUFS as per Para no. of 3.4 of Revised Resolution of ATUFS dated 02.08.2018 and subsequent order No. 6/5/2015-TUFS dated 06.08.2019.

The list of 01 proposals (Abroad Manufacturer- 01) received from Textile Machine Manufacturers/Authorized Agents for enlistment under ATUFS, were scrutinized by the Internal Technical Committee. The committee decided not to recommend the manufacturer, since the applicant unit business license not confirming the textile machine manufacturing activity and their manufacturing arrangement with the original machinery brand owner is not as per ATUFS guidelines.(Enclosed as Annexure-II)

Agenda Point No- 2:Case Forwarded by RO-NAVI MUMBAI - Logo reg.

RO- Navi Mumbai forwarded a case of logo issue in respect of machinery manufacturer M/s. Lasser AG. Switzerland who supplied Multi head computerized embroidery machine (MC:4-47) to ATUFS beneficiary M/s. KFS Embroidery (ATUFS/2021-22/3309).

During scrutiny, it has found that machine name plate comprises only "LÄSSER⁺" wherein Invoice is consisting manufacturer name as "LASSER AG". In this connection, RO- Navi Mumbai called clarification from the manufacturer and the clarification is as under:

- 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".

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 Comments: 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 in 71st ITC dated 24.08.2023: 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.

S. No.	Beneficiary Name	Invoice Logo	Machine Name Plate Logo
1	Shubh laxmi Embroidery (Model no : MVD73, Invoice date- 01.02.2022)	LASSER+ Swiss Embroidery Machines	LASSER+AG Swiss Embroidery Machines
2	Suvidha Fashion, (Model no : MVD73, Invoice date- 07.02.2022)		
3	Flowers creation, (Model no : MVD73, Invoice date- 10.02.2022)		
4	Colour Impex, (Model no : MVD71, Invoice date- 15.02.2017)	LASSER+ Swiss Embroidery Machines	LASSER+
5.	KFS Embroidery (Model no : MVD71, Invoice date- 20.01.2022) (Extant Case)	LASSER+ Swiss Embroidery Machines	LASSER+ Swiss Embroidery Machines

Now, TUFS cell submitted the documents in respect of above decision as under,

Section Comments:

- The logo in all invoices of reference cases are found same.
- The logo in machine name plate are found different i.e. 3 types in reference cases.
- The logo available in office records is same as logo of invoice & website.

Decision Taken in the 74th ITC Meeting dated 28.03.2024: The committee examined the documents and noted that the manufacturer is following different branding practices in the referred cases. Hence, the committee decided to call clarification on difference in Logo in machine plates along with their trade mark certificate from the manufacturer.

Now, M/s. Lasser AG Switzerland submitted the reply in reference to this section email dated 12.04.2024 as follows,

- “LÄSSER” is the brand name, “+” is for Swiss cross and AG stands for Public limited company. Important is “LÄSSER”
- There is no reason for different branding practices.
- Today we are only using LÄSSER + AG on the Name plate.

Decision Taken: - The committee reviewed the clarifications submitted by the manufacturer and examined information available in manufacturer website. It is noted that the brand name “LÄSSER” is found same on all the machine name plate and in commercial invoice. Hence, the committee recommended the case to consider for release of subsidy if other conditions are met as per ATUFS guidelines.

Agenda Point No-3: Manufacturer name not mentioned on the machine name plate only Logo mentioned

TUFS Cell forwarded the case to confirm the acceptability in respect of machinery manufacturer M/s. Spoolex S.A.S., France (enlisted at 524 in Annexure-III), who supplied Ultrasonic Slitting machine under MC03-h-2 to M/s. Plasti weave Industries LLP M/s. Harmony Plastic Pvt. Ltd. (Beneficiary: ATUFS/2019-20/1535). During JIT it has been found that machine name plate comprises only logo of the machinery manufacturer alongwith unit address. The logo available in name plate is slightly different than logo in invoice. The address mentioned in invoice and name plate is found same. The date of invoice is 11.04.2018, 22.06.2018.

Manufacture declaration:

- **“SPOOLEX”** is the brand name of M/s. Spoolex S.A.S., France. As per general trade practice, the unit mentioned “Spoolex” on machine name plate.
- As a trade practice, the unit is mentioning logo of the company in both Invoice and machine name plate. In this instant claim, at the time of issuing invoice the software not updated with new logo whereas new logo updated in machine name plate. “SPOOLEX” mentioned both in invoice and machine name plate.



Section comments: The new logo is found in manufacturer website - <https://www.spoolex.com/>.

Decision Taken in the 74th ITC Meeting dated 28.03.2024: The Committee reviewed the submitted documents and decided to call effective date of new logo adopted by the manufacturer along with supporting documents and trade mark certificate.

Now, M/s. Spoolex S.A.S., France submitted the reply in reference to this section email dated 26.03.2024. The manufacturer reply is as under,

- I. Effective date of new logo introduction - September 2019
- II. Trademark certificate for old logo and new logo
 - Our trademark is protected by word and nonfigurative trade mark. i.e **SPOOLEX**
 - Our trademark only is registered (not the logo) and submitted the same (not the logo). “SPOOLEX” mentioned both in invoice and machine name plate.

Decision Taken:- The committee reviewed the documents submitted by the manufacturer i.e trademark certificate, manufacturer website and noted that the registered trademark is available in both invoice and machine name plate. Hence, the committee recommended the case to consider for release of subsidy if other conditions are met as per ATUFS guidelines.

List of Machine Manufacturers placed before 75th Internal Technical Committee													
S. no.	File no.	Name of the unit	Abroad	Embassy Certificate	Business License	Undertaking	Valid I.S.O/C E self declaration	Sales figure	Eligible Textile Machine covered under which annexure of ATUFS	ISO Verification	Whether as per direction of 18th TAMC, i.e., Embassy Certificate was routed through MoFA of concern country?	Remark	Technical Committee Decision
1	T-48	M/s. Tachyon Makine Sanayi VE Ticaret Anonim Sirketi, Turkey (formerly known as M/s. Tachyon Makine Sanayi VE Ticaret Limited Sirketi, Turkey)	Abroad	yes	Yes	Yes	Yes	Yes	MC-2-24, MC-2-38, MC-2-57	Verified	Turkish Consulate General in Mumbai has certified that the applicant is a textile machinery manufacturer	The application is forwarded by RO-Bangalore as per 60th ITC decision	The committee decided not to recommend the manufacturer, since the applicant unit business license not confirming the textile machine manufacturing activity and their manufacturing arrangement with the original machinery brand owner is not as per ATUFS guidelines.

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