An agreement made this _____________day of ___________201______ between M/s. ___________________________________(indicate legal status i.e. a company or firm) an Export Oriented Unit / having its registered office at ___________________ and factory/service unit at ___________ (hereinafter referred to as “the unit” which expression shall include its successors and assigns) of the one part and the President of India acting through Development Commissioner (DC) of ..............SEZ (hereinafter referred to as “Government” which expression shall include his successors in office and assigns) of the other part.

Whereas the Government has communicated vide Letter No. ___________dated _________to the Unit the terms and conditions for setting up the EOU unit for manufacture/service of __________________and the Unit has duly accepted the said terms and conditions vide their letter No.__________dated __________.

AND WHEREAS  the unit has been permitted to import/purchase indigenously Plant and Machinery, raw materials, components, spares and consumables free of Import / Central excise duty as per details given at ANNEXURE-I.

And whereas a license has been granted to the unit by the Government, subject to the achievement of positive NFE as per Para 6.04 of FTP.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. The unit shall achieve positive NFE as per Para 6.04 of FTP.

2. Such performance shall be subject to annual monitoring by the Development Commissioner (DC) having jurisdiction over its activities under the guidelines issued by the Ministry of Commerce, Government of India from time to time and the unit shall be liable for penalty under the Foreign Trade (D&R) Act, 1992 as amended from time to time for failure to fulfill such obligation. For the purpose of counting NFE under the EOU scheme, exports to Nepal or Bhutan shall qualify, if payment is made in Foreign Exchange.

3. The unit shall intimate the date of commencement of the production for export within one month of such date to the concerned Development Commissioner.

4. The unit shall not dispose of its production in the domestic market except in terms of the provisions of EOU Scheme and/or when specifically allowed by the competent authority.

5. The unit under implementation shall submit quarterly report to the concerned Development Commissioner in the prescribed format at ANNEXURE-II.

6. The Unit shall after the commencement of production/operation, submit to the concerned Development Commissioner, quarterly performance report in the prescribed format at ANNEXURE-III for the period ending March/June/September and December every year within 30 days of the close of quarter through e-mail giving details of the imports/exports effected and purchases made from the Domestic Tariff Area by the Unit during the period. An annual performance report shall also be submitted in the prescribed format given at ANNEXURE-IV within a period of 90 days following the close of financial year failing which further imports and DTA sale will not be permitted. Annual Performance Reports shall be certified by a Chartered Accountant/Cost Accountant. In case of wrong submission of such information or failure to submit such information within the stipulated time, DC may withdraw the permission granted to the unit for operation.

7. In the event of the Unit failing to fulfill the terms & conditions of Letter of Permission(LOP) / Letter of Intent (LOI) and NFE as prescribed in the EOU Scheme, except when the fulfillment of such conditions is prevented or delayed because of any law & order, proclamation, regulation/ordinance of the Government or the shortfall in fulfillment of NFE is within the permissible norms specified in the monitoring guidelines given at APPENDIX-6F of
the EOU Scheme, the unit would be liable for penal action under the provisions of Foreign Trade (Development &

8. The unit shall also be subject to the conditions stipulated and required for availing exemption from duty of
Customs and Excise under the relevant Customs & Excise Notifications and any customs duties/Excise duties and
interest payable to/leviable by the Government for failure to fulfill such conditions shall also, without prejudice to any
other mode of recovery be recoverable in accordance with the provisions of Section 142 of the Customs Act,
1962/Section II of the Central Excise Act, 1944 and rules made thereunder and/or from any payment due to the Unit
from the Government.

9. Any order issued by the Government in this regard shall be final and binding and the Unit thereby undertakes to comply unconditionally with such an order.

10. The unit shall be bound by the changes made in the provisions of EOU Scheme from time to time.

11. The unit shall have an operational Web-Site.

12. Any changes in the Board of Directors/Partners, telephone No., E-mail address, Web-Site, Passport No.,
Bank Address and Factory address shall be duly intimated by the unit within a fortnight.

13. Any Stamp Duties payable on this document or any document executed thereunder shall be borne by the
Unit.

In witness thereof the common seal of _____________ has been here into affixed and for and on behalf of _____________ has set and subscribed his hands here into. Common seal of the within named Unit has been affixed here into in the presence.

Signature of (i) Shri _______________________
(Residential address)

Signatures of (ii) Shri _______________________
(Residential address)

Director and (i) Shri _______________________
Director who have been duly authorized for the purpose by a resolution of the
Board of Directors of the Company passed at the meeting held on ____________and who have signed in the
presence of _____________.

1. ______________ (Name, Designation and Address)
   (Tel. No.
   (E-mail Address & web-site)

2. ______________ (Name, Designation and Address)
   (Tel. No.
   (E-mail Address & web-site)

Signed for and on behalf of the President of India

By Shri ________________________
in the presence of

1. ___________________________________
(Name, Designation and Address)

2. ___________________________________
(Name, designation and Address)
## EXEMPTION MATERIALS

1. **Plant, Machinery and Equipment to be imported.**

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of goods</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. **Raw Materials, Components and Consumables to be imported.**

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of material</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. **Plant, Machinery and Equipment and Raw Material, Components and Consumables to be indigenously produced and purchased without payment of Central Excise Duties.**

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of material</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
PERIOD OF REPORTING: (APRIL-JUNE) (JULY-SEPTEMBER) (OCTOBER-DECEMBER) (JANUARY-MARCH)

QUARTERLY PROGRESS REPORT FOR THE EOU / UNITS WHICH ARE UNDER IMPLEMENTATION

1. Details of the unit:
   (a) Name of the unit:
   (b) IEC No.:

2. Location of the Factory & Full Address:
   a. Address:
   b. Phone No.:
   c. Fax No.:

3. Regd. Office:
   a. Address:
   b. Phone No.:
   c. Fax No.:
   d. Permanent E-Mail Address:
   e. Web-Site:

4. Approval No. and date:

5. Item of manufacture/service – Annual Capacity
   (Details of all items to be provided)
   a) 
   b) 

6. Green Card No. and date
   and the period of validity:

7. Present position in regard to setting up of the unit (Tick whichever is applicable)
   a. Acquisition of land: Yes  No
   b. Erection of Building: To Start/ Started Over/Building purchased
   c. Electricity: Not applied  Applied on  Available
   d. Water: Not applied  Applied on  Available
   e. Telephone/Fax: Not applied  Applied on  Available

8. Employment:
   a) No. of Men Workers employed in the unit
      Managerial  Skilled  Unskilled
   b) No. of Women workers employed in the unit
      Managerial  Skilled  Unskilled
c) TOTAL:

9. Imports during the quarter (Rupees in Lakhs) 
   Cumulative 
   During the Quarter 
   a. Value of Capital Goods imported 
   b. Value of Raw Materials, Components etc. imported 
   d. Value of Industrial Raw Materials Components etc. purchased. 

10. Sanction of bonding facilities: 
    Yes 
    No 
    a. if "yes" date on which warehousing licence issued 
    b. if "no" date on which customs/ excise approached. 

11. Date likely to commence production: 

12. Any other information 
    : 
    (Signature with seal of the company) 
    Place:__________________ 
    Date:__________________
ANNEXURE-III

FORMAT FOR QUARTERLY REPORT FOR THE WORKING UNITS

PERIOD OF REPORTING: QUARTERLY (APRIL-JUNE)(JULY-SEPTEMBER)(OCTOBER-DECEMBER)(JANUARY-MARCH)

1. Name of the Unit & location
2. (a) Permanent E-mail Address (Compulsory)
   
   (b) Web Site
3. Date of commencement of production:

   Details of production figures:

<table>
<thead>
<tr>
<th>Quantity (MT/pieces)</th>
<th>Value (Rs. in lakhs)</th>
</tr>
</thead>
</table>

4(i). FOB value of exports for the Quarter
   
   a) GCA exports
   
   b) RPA exports
   
   c) Total:

ii). Deemed export for other categories during the quarter

iii). Cumulative exports/deemed export up to the current quarter

5(i). Cumulative import of RM/consumable etc. during the quarter

ii). Cumulative import of RM/Consumables etc., consumed up to the quarter

iii). Cumulative import of capital goods including spares up to the quarter.

6. Net foreign exchange earning
   
   Achieved

   (NFE)(Column 4 – Column 5 (ii)+Column 5 (iii))

DTA SALE

7. DTA sale

   | Quantity | Value |
8. **Cases of pending Foreign Exchange**

Cases of pending Foreign Exchange realisation outstanding for more than 360 days at the end of last quarter/financial year

<table>
<thead>
<tr>
<th>Date of export</th>
<th>Name of Importer</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
</table>

(SIGNATURE)
With Seal of Co.

**Notes:**

1. The above information should be given separately for each Letter of Permission.
2. QPRs must be submitted electronically only if the zones have provided online facilities.
3. The signature of the authorised signatory of the unit must be sent to the zone electronically.
ANNEXURE-IV

FORMAT FOR ANNUAL PROGRESS REPORT FOR THE WORKING UNITS

PERIOD OF REPORTING: ANNUAL (APRIL-MARCH)

1. Details of the Unit
   a) Name of the Unit
   b) IEC. No.

2. PERIOD OF REPORTING

3. Approval No. & Date

4. Item of manufacture/service – Annual Capacity
   (Details of all items to be provided)
   a) 
   b) 

5. Factory Location/Address/
   Telephone No.

6. Regd.Office Address/Tel/Fax No

7. (a) Permanent E-mail Address (Compulsory)
   (b) Web Site

8. Date of commencement of
   production
   Details of production figures

<table>
<thead>
<tr>
<th>Quantity (MT/pieces)</th>
<th>Value (Rs. in lakhs)</th>
</tr>
</thead>
</table>

9. Details of Foreign Exchange
   Inflow/Outflow

   EXPORT/INFLOW (Rs. in Lakhs) $ in Million

10. FOB value of exports for the
    Year
    a) GCA exports
    b) RPA exports
    c) Total:

11. (a) Goods sold in DTA in terms of Para 6.09 (b) of the Chapter 6 of the Foreign Trade Policy for
    year
    (b) Deemed export for other categories during the year
    Total

12. Cumulative exports up to the current year

13. Cumulative exports up to the previous year

14. Country-wise details of exports
<table>
<thead>
<tr>
<th></th>
<th>(Rs. in Lakhs)</th>
<th>$ in Million</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.</td>
<td>Opening balance of imported RM, Consumables etc., during the year</td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Raw Materials/consumables /components etc. imported during the year</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>RM/consumables etc. transferred to other units during the year</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>RM/consumables etc. received under the inter-unit transfer during the year</td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Cumulative import of RM/consumable etc. during the year</td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Imported RM/Consumables/ etc., consumed during the year</td>
<td></td>
</tr>
<tr>
<td>20(A)</td>
<td>Imported RM/consumables etc. not utilised beyond five years.</td>
<td></td>
</tr>
<tr>
<td>21.</td>
<td>Closing balance of imported RM/Consumables etc. at the end of year</td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>Opening balance of imported capital goods including spares (Value of capital goods year-wise since inception to be annexed)</td>
<td></td>
</tr>
<tr>
<td>23.</td>
<td>Import of capital goods including spares during the year</td>
<td></td>
</tr>
<tr>
<td>24.</td>
<td>Capital goods including spares received under inter-unit transfer</td>
<td></td>
</tr>
<tr>
<td>25.</td>
<td>Capital goods including spares transferred under inter-unit transfer</td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>Cumulative imports of capital goods including spares during year.</td>
<td></td>
</tr>
</tbody>
</table>

Sub-Total [Column No. 20 + Column 26]

|27. | Other FE Outflow (Royalty/technological know-how/investment/Dividend payment/Travel/Commission etc.) during the year |               |

TOTAL OUTFLOW [Column No. 20 + 26 +27]

|28. | Net foreign exchange earning | Achieved |
|29. | Opening balance of indigenous |               |
capital goods including spares during the year

30. Purchase of indigenous capital goods during the year

31. Cumulative balance of indigenous capital goods purchased during the year

32. Opening balance of indigenous RM/Consumables etc., during the year

33. Purchase of indigenous RM/Consumables etc during the year

34. Cumulative balance of indigenous RM/consumables purchased during the year

34(A) Imported RM/consumables etc. not utilized beyond five years.

**DTA SALE**

35. (a) Sales of goods effected in DTA if any

   Quantity  Value

(b) Sales of rejects in DTA if any:

   Quantity  Value

(c) Sale of Waste/Scrap/Remnant

   Quantity  Value

d) Sale of by product

   Quantity  Value

(e) Total

   Quantity  Value

36. DTA sale on full duty

   Quantity  Value

37. Items of manufacture/service Annual capacity (at the end of financial year)

38. Foreign/NRI/Indian investment (to be submitted annually)

   Foreign/NRI  Indian

   i) Authorised capital

   ii) Paid up capital

   iii) Foreign Direct Investment -

      (I) Approved

      (II) Actual Inflow during the year

      (III) Cumulative balance for the year

   iv) NRI capital

      (I) Approved
(II) Actual Inflow during the year
(III) Cumulative balance for the year

39. Employment:

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Managerial</th>
<th>Skilled</th>
<th>Unskilled</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) No. of Male Workers employed in the unit</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) No. of Women workers employed in the unit</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) TOTAL: (a + b)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

40. OTHER INFORMATION:

<table>
<thead>
<tr>
<th>Overseas investment</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Overseas investment made by the unit at the end of last year</td>
</tr>
<tr>
<td>a) Less than one year</td>
</tr>
<tr>
<td>Amount in $</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cases of pending Foreign Exchange</th>
</tr>
</thead>
<tbody>
<tr>
<td>b) Cases of pending Foreign Exchange realisation outstanding for more than 180/360 days at the end of financial year</td>
</tr>
<tr>
<td>Date of export</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>External commercial borrowing</th>
</tr>
</thead>
<tbody>
<tr>
<td>c) External commercial borrowing pending at the end of last year</td>
</tr>
<tr>
<td>a) Less than three years</td>
</tr>
<tr>
<td>Amount in $</td>
</tr>
<tr>
<td>b) More than three years</td>
</tr>
<tr>
<td>-do-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Revenue contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>d) Revenue contribution by units</td>
</tr>
<tr>
<td>a) Excise duty on DTÁ sale during the financial year</td>
</tr>
<tr>
<td>b) Income tax paid, if any, during the financial year</td>
</tr>
<tr>
<td>c) State taxes, cess duties &amp; levies (including CST paid on domestic procurement)</td>
</tr>
<tr>
<td>d) Tax deducted at source in respect of employees</td>
</tr>
</tbody>
</table>
It is certified that no shipment other than mentioned above are pending realization beyond stipulated period/period as extended by RBI.

(SIGNATURE)
With Seal of Co.

Notes :

1) The above information should be given separately for each Letter of Permission.

2) The information given in the formats for APRs should be authenticated by the authorized signatory of the unit and should be certified for its correctness by a Chartered Accountant/Cost Accountant with reference to the account records and registers maintained by the unit.

3) APRs must be submitted electronically only if the zones have provided online facilities.

4) The signature of the authorised signatory of the unit must be sent to the zone electronically.