

SEEPZ SPECIAL ECONOMIC ZONE

ANDHERI (EAST), MUMBAI.

AGENDA FOR

**MEETING OF THE UNIT APPROVAL COMMITTEE FOR EXPORT
ORIENTED UNITS UNDER THE JURISDICTION OF DEVELOPMENT
COMMISSIONER, SEEPZ-SEZ.**

**VENUE : Conference Hall, BFC Building, 2nd Floor, Behind the
Office of the Development Commissioner, SEEPZ-SEZ,
Andheri (East), Mumbai.**

DATE : 7th November, 2016.

TIME : 11.00 A.M.

MEETING OF THE UNIT APPROVAL COMMITTEE FOR EXPORT
ORIENTED UNITS UNDER THE CHAIRMANSHIP OF DEVELOPMENT
COMMISSIONER, SEEPZ-SEZ ON 7th NOVEMBER, 2016.

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Agenda Item No.	Subject
Agenda item No. 01 : -	Confirmation of minutes of the meeting held on 23.09.2016.
Agenda item No. 02 : -	Application for Conversion of existing DTA unit into EOU - M/s. Tufropes Pvt. Ltd.,
Agenda item No. 03 : -	Application for Establishment of New Undertaking - M/s. Firestar Diamond International Pvt. Ltd.,
Agenda item No. 04 : -	Transfer of Raw Material to Inoxpa India Pvt. Ltd. - M/s. Candigra Vision Process Equipment Pvt. Ltd.,
Agenda item No. 05 : -	Excess import of Raw Material - M/s. Seco Tools India Pvt. Ltd.,

**ACTION TAKEN REPORT ON THE MINUTES OF THE 6TH MEETING
(2016 SERIES) OF UAC HELD ON 23.09.2016.**

Case No.	Unit Name	Action taken
1.	M/s. Candigra Vision Process Equipment Pvt. Ltd.,	The Proposal was Deferred.
2.	M/s. Godavari Biorefineries Ltd.,	The file under process.
2.	M/s. Seco Tools India Pvt. Ltd.	The Proposal was Deferred.
3.	M/s. Tevapharm India Pvt. Ltd.	Letter issued to the unit on 10.10.2016.
4.	M/s. Ceat Specialty Tyres Ltd.,	Letter of Permission issued to the unit on 21.10.2016.

MINUTES OF THE 6TH MEETING (2016 SERIES) OF THE UNIT APPROVAL COMMITTEE FOR EXPORT ORIENTED UNIT HELD UNDER THE CHAIRMANSHIP OF DEVELOPMENT COMMISSIONER, SEEPZ SEZ ON 23.09.2016 AT 11.00 A.M.

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The following were present :-

1. Shri. V. P. Shukla, Joint Development Commissioner, SEEPZ-SEZ.
2. Shri. Anil S. Kanaso, Office of the Addl. DGFT, Mumbai
3. Shri. V. D. Shetiya, Office of the Jt. Director of Industry (MMR)
4. Shri. Rakesh Kumar, Assistant Commissioner of Central Excise, Belapur
5. Smt. K. L. Rayappa, Assistant Commissioner of Central Excise, Thergaon Division, Pune I.
6. Shri. G. S. Bhandari, UDC, SEEPZ- SEZ

**1. Confirmation of Minutes of the 5<sup>th</sup> Meeting (2016 Series) held on 22.08.2016.**

The Unit Approval Committee ratified the minutes of its 5<sup>th</sup> meeting held on 22.08.2016.

**2. M/s. Candigra Vision Process Equipment Pvt. Ltd.**

The representative of the unit did not attend the meeting. The Committee deferred the matter.

**3. M/s. Godavari Biorefineries Ltd.,**

After detailed deliberation the Committee decided to regularize excess import of Capital Goods and also directed to issue caution letter to the unit.

**4. M/s. Seco Tools India Pvt. Ltd.,**

The representative of the unit did not attend the meeting. The Committee deferred the matter.

**5. M/s. Tevapharm India Pvt. Ltd.,**

After detailed deliberation the Committee decided to regularize excess import of Capital Goods and also directed to issue caution letter to the unit.

**6. M/s. Ceat Specialty Tyres Ltd.,**

After detailed deliberation the Committee approved the proposal of M/s. Ceat Specialty Tyres Ltd., for Establishment of New Undertaking for manufacture and export of Pneumatic Tyres at Plot No. G-2, Additional Ambernath Industrial Area, Village Bhonali, Ambernath (East), Taluka Ambernath, District Thane - 421 506, subject to condition that CG/RM will be allowed in building after completion of the building only.

Meeting ended with vote of thanks to the Chair.

  
**CHAIRMAN - CUM- DEVELOPMENT COMMISSIONER**

**OFFICE OF THE DEVELOPMENT COMMISSIONER,  
SEEPZ SPECIAL ECONOMIC ZONE, GOVT. OF INDIA,  
ANDHERI (E), MUMBAI**

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**AGENDA NOTE FOR CONSIDERATION OF UNIT APPROVAL COMMITTEE**

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**a) Proposal :-**

Application for Conversion of existing DTA unit into EOU of M/s. Tufropes Pvt. Ltd., for manufacture and export of PP/HDPE Rope, Nylon Rope, Polyester Rope, Baler Twine, Polydac Rope, Blended Rope, Combination Rope, PP Multifilament Rope, HDPE Fish Net, Nylon Fish Net, Sports Net, HDPE/Nylon Nets, PP/Polyester Nets, Safety Nets, Article of ropes.

**b) Specific Issue on which decision of UAC is Required :-**

Grant of Letter of Permission (LOP) for Conversion of existing DTA unit into EOU.

**c) Relevant Provision of FTP/HBP :-**

Para 6.07 (a) of FTP 2015-2020 read with Para 6.01 (b) of Hand book of Procedure.

**d) Other information: -**

The applicant company has submitted the application for Conversion of Existing DTA unit into EOU for manufacture and export of PP/HDPE Rope, Nylon Rope, Polyester Rope, Baler Twine, Polydac Rope, Blended Rope, Combination Rope, PP Multifilament Rope, HDPE Fish Net, Nylon Fish Net, Sports Net, HDPE/Nylon Nets, PP/Polyester Nets, Safety Nets, Article of ropes at Survey No. 328/1/1/1, Village Masat, Silvassa - 396 230.

The Assistant Commissioner of Central Excise, Customs & Service Tax, Division II Silvassa, Ground Floor, Sahakar Bhavan, Opp. Hirwan Garden, Piparia, Silvassa, UT of D & NH vide their letter dated 23.08.2016 has submitted the Inspection Report & stated the following :-

- i) The premises is on ownership basis.
- ii) The factory premises showing plot area 40000 Sq. mtr. And Built up area 20170.62 sq. mtr.
- iii) The nature of building is Concrete Construction.
- iv) The electricity connection of DNH Power Distribution Corporation Limited, Silvassa.
- v) There is separate entry and exit provided for proposed EOU.

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- vi) The proposed premises/building is suitable for necessary permission under Section 58 & 65 to be issued by Central Excise & Customs authority.

**INVESTMENT:**

The proposed cost of the project is as follows:-

|                              | <b>Existing</b>         | <b>Proposed</b>       |
|------------------------------|-------------------------|-----------------------|
| Land                         | 818.30                  | -                     |
| Building                     | 274.21                  | 1597.00               |
| <b>Plant &amp; Machinery</b> |                         |                       |
| Indigenous                   | Rs. 485.15 Lakhs        | Rs. 950 Lakhs         |
| Imported                     | -                       | Rs. 100 Lakhs         |
| <b>Total</b>                 | <b>Rs. 485.15 Lakhs</b> | <b>Rs. 1050 Lakhs</b> |

**PROPOSED IMPORT/EXPORT:**

The details of Foreign Exchange Balance Sheet is as follows:-  
(Figs. Rs in Lakhs)

|                                       |                                                                | 1 <sup>st</sup> | 2 <sup>nd</sup> | 3 <sup>rd</sup> | 4 <sup>th</sup> | 5 <sup>th</sup> | Total | Total in<br>US\$'000 |
|---------------------------------------|----------------------------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-------|----------------------|
| XII                                   | FOB value of exports in first five years                       | 4457            | 8457            | 10616           | 12738           | 16066           | 52335 | 78112                |
| <b>XIII Foreign Exchange outgo on</b> |                                                                |                 |                 |                 |                 |                 |       |                      |
| (i)                                   | Import of Machinery                                            | -               | 25              | 50              | 25              | -               | 100   | 149                  |
| (ii)                                  | Import of raw materials and components                         | 912             | 1094            | 1313            | 1576            | 1891            | 6787  | 10130                |
| (iii)                                 | Import of spares and consumables                               | 15              | 180             | 21              | 25              | 31              | 111   | 166                  |
| (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 Export etc.                                                              | 17          | 18          | 19          | 21           | 21           | 96           | 143          |
| (xi)   | Foreign Travel                                                                         | 15          | 16          | 18          | 19           | 21           | 91           | 136          |
| (xii)  | Amount of interest to be paid on external commercial borrowing/deferred payment credit | -           | -           | -           | -            | -            | -            | -            |
| (xiii) | Any other payments                                                                     | 15          | 16          | 17          | 18           | 20           | 87           | 130          |
|        | Total (i) to (xiii)                                                                    | 974         | 1163        | 1389        | 1661         | 1985         | 7173         | 10707        |
|        | <b>Net Foreign Exchange earnings in five years</b>                                     | <b>3483</b> | <b>7294</b> | <b>9227</b> | <b>11076</b> | <b>14080</b> | <b>45161</b> | <b>67405</b> |

**EMPLOYMENT:**

The employment proposed is as follows:-

|                 | <b>Men</b> | <b>Women</b> |
|-----------------|------------|--------------|
| Supervisory     | 40         | -            |
| Non-supervisory | 250        | 25           |

**LAST THREE YEARS EXPORT:**

The export turnover of the applicant company of last 3 years is as follows:-

| <b>Years</b> | <b>Export (Rs. in Cr.)</b> |
|--------------|----------------------------|
| 2013-14      | 24.81                      |
| 2014-15      | 20.88                      |
| 2015-16      | 23.23                      |

**DETAILS PROVIDED IN FACT SHEET OF APPLICATION:**

The applicant company in the fact sheet has stated the following :-

- i) The Existing DTA unit taken full existing capacity, is being converted into EOU.
- ii) The DTA unit is under the obligation of Advance License Scheme.
- iii) The DTA unit is not registered with Central Excise Authority. The Registration No. AA ACT8968MEM005.
- iv) The applicant company is a Manufacturer Exporter.
- v) List of Capital Goods is attached.

The proposal of the applicant company is placed before the Unit Approval Committee for consideration.

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**OFFICE OF THE DEVELOPMENT COMMISSIONER,  
SEEPZ SPECIAL ECONOMIC ZONE, GOVT. OF INDIA,  
ANDHERI (E), MUMBAI**

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**AGENDA NOTE FOR CONSIDERATION OF UNIT APPROVAL COMMITTEE**

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**a) Proposal :-**

Application for Establishment of New Undertaking of M/s. Firestar Diamond International Pvt. Ltd., for manufacture and export of Plain/Studded-Gold, Silver, Platinum, Stainless Steel, Titanium & Alloy Jewelry or Combination thereof or Fitted into Leather/Rubebr Cords-Fashion Jewellery.

**b) Specific Issue on which decision of UAC is Required :-**

Grant of Letter of Permission (LOP) for Establishment of New Undertaking.

**c) Relevant Provision of FTP/HBP :-**

Para 6.07 (a) of FTP 2015-2020 read with Para 6.01 (b) of Hand book of Procedure.

**d) Other information: -**

The applicant company has submitted the application for Establishment of New Undertaking for manufacture and export of Plain/Studded-Gold, Silver, Platinum, Stainless Steel, Titanium & Alloy Jewelry or Combination thereof or Fitted into Leather/Rubebr Cords-Fashion Jewellery at Unit 2G, Ground Floor, Tower II, Wing B, Kohinoor City, Kiroi Road, Off LBS Marg, Kurla (West), Mumbai - 400 070.

The Deputy Commissioner of Central Excise, Kurla-Vikhroli Division, Mumbai II Commissionerate, 1<sup>st</sup> Floor, Polyshoor Building, Opp. HCC., LBS Road, Vikhroli (W), Mumbai - 400 083 vide their letter dated 16.09.2016 has submitted the Inspection Report & stated the following :-

- (i) The premises is on ownership basis.
- (ii) The factory premises showing Plot Area 12589.57 Sq. Ft. and EOU area 1894.00 sq. Ft.
- (iii) The nature of building is concrete construction.
- (iv) The source of power is Electric connection of industrial type.
- (v) There is separate entry and exit is provided for the proposed EOU.

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- (vi) The proposed premises/building is suitable for necessary permission under Section 58 & 65 to be issued by Central Excise & Customs Authority.

The unit vide their letter dated 19.10.2016 has also stated the following:-

- (i) At present duty on diamond works out Approx. 2.575%.
- (ii) Duty on Gold is Approx. 10%.
- (iii) The entire property/place is owned by Company.
- (iv) In case if there is any repair/remaking, they are unable to import in local unit. But in EOU it's a good facility given to cater the requirement of buyers. This saves Approx. 35% duty and increase trust of customer.
- (v) They can import good machinery & consumables duty free, which will allow them to use modern technology.
- (vi) They don't want to do any local sale.
- (vii) Free environment in functioning no need to run different departments.
- (viii) Can easily control by excise as there is no Local sale provision in their project.
- (ix) Import/Export can be done from PCCCC Customs.
- (x) Imports can be cleared on procurement certificate issued by excise under B-17 Bond.
- (xi) B-17 Bond & LUT covers all risk factor.

#### **INVESTMENT:**

The proposed cost of the project is as follows:-

|                              | Existing | Proposed             |
|------------------------------|----------|----------------------|
| Land                         | -        | -                    |
| Building                     | -        | 450                  |
| <b>Plant &amp; Machinery</b> |          |                      |
| Indigenous                   | -        | Rs. 45 Lakhs         |
| Imported                     | -        | Rs. 80 Lakhs         |
| <b>Total</b>                 | -        | <b>Rs. 125 Lakhs</b> |

#### **PROPOSED IMPORT/EXPORT:**

The details of Foreign Exchange Balance Sheet is as follows:-  
(Figs. Rs in Lakhs)

|     |                                          | 1st   | 2nd   | 3rd   | 4th   | 5th   | Total | Total in US\$'000 |
|-----|------------------------------------------|-------|-------|-------|-------|-------|-------|-------------------|
| XII | FOB value of exports in first five years | 12480 | 13728 | 15101 | 16611 | 18272 | 76192 | 121907            |

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| <b>XIII Foreign Exchange outgo on</b> |                                                                                        |             |             |             |             |             |              |              |
|---------------------------------------|----------------------------------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------|--------------|--------------|
| (i)                                   | Import of Machinery                                                                    | 35          | 15          | 10          | 10          | 10          | 80           | 128          |
| (ii)                                  | Import of raw materials and components                                                 | 7987        | 8786        | 9665        | 10631       | 11694       | 48763        | 78020        |
| (iii)                                 | Import of spares and consumables                                                       | 36          | 43          | 52          | 62          | 75          | 268          | 429          |
| (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 Export etc.                                                              | -           | -           | -           | -           | -           | -            | -            |
| (xi)                                  | Foreign Travel                                                                         | 120         | 130         | 150         | 165         | 175         | 740          | 1184         |
| (xii)                                 | Amount of interest to be paid on external commercial borrowing/deferred payment credit | -           | -           | -           | -           | -           | -            | -            |
| (xiii)                                | Any other payments                                                                     | -           | -           | -           | -           | -           | -            | -            |
|                                       | Total (i) to (xiii)                                                                    | 8178        | 8974        | 9876        | 10868       | 11954       | 49851        | 79761        |
|                                       | <b>Net Foreign Exchange earnings in five years</b>                                     | <b>4302</b> | <b>4754</b> | <b>5225</b> | <b>5743</b> | <b>6318</b> | <b>26341</b> | <b>42146</b> |

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**EMPLOYMENT:**

The employment proposed is as follows:-

|                 | <b>Men</b> | <b>Women</b> |
|-----------------|------------|--------------|
| Supervisory     | 20         | 10           |
| Non-supervisory | 75         | 25           |

The proposal of the applicant company is placed before the Unit Approval Committee for consideration.

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**OFFICE OF THE DEVELOPMENT COMMISSIONER,  
SEEPZ SPECIAL ECONOMIC ZONE, GOVT. OF INDIA,  
ANDHERI (E), MUMBAI**

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**AGENDA NOTE FOR CONSIDERATION OF UNIT APPROVAL COMMITTEE**

**a) Proposal :-**

Transfer of Raw Material to Inoxpa India Pvt. Ltd., from M/s. Candigra Vision Process Equipment Pvt. Ltd.,

**b) Specific Issue on which decision of UAC is required :-**

The unit has submitted the application for transfer of Raw Material to Inoxpa India Pvt. Ltd., (EOU Unit).

**c) Relevant Provisions of FTP/HBP :-**

In terms of Para 6.13 (d) of FTP 2015-2020.

**d) Other Information :-**

M/s. Candigra Vision Process Equipment Pvt. Ltd., Nashik II were issued LOP No. PER:SEEPZ-SEZ/IA-II/05/17/2014-15/214 dated 05.01.2015 as amended for manufacture and export of Pump Accessories viz. Actuator Mounting Bracket, Cone, Pump Feet (LEG), Shroud, Leg Motor, Filters, Pipe Fittings and Accessories Viz. Tee, Bend, Reducer at Plot No. C-117, Supa MIDC, Parner, District Ahmednagar - 414 301.

The unit vide letter dated 13.05.2016 has intimated that they intend to transfer materials as per attached annexure to Inoxpa India Pvt. Ltd (EOU unit) as per Para 6.15 of new Foreign Trade Policy 2015-2020. The reason for transfer of this material is that, they have procured in bulk quantity at Candigra Vision Process Equipment Pvt. Ltd. to save on transportation Cost.

In terms of Para 6.15 (a)(i) of FTP, **"In case an EOU/EHTP/ STP/BTP unit is unable to utilize goods and services, imported or procured from DTA, it may be transferred to another EOU/EHTP/ STP/BTP/SEZ unit"**.

This office vide letter dated 08.06.2016 requested to the unit to clarify as to why they have imported the Raw Material in excess though there was no requirement of the same.

The unit vide letter dated 22.06.2016 has informed that as per Foreign Trade Policy 2015-2020 and as per clause no. 6.13 (d), this material was centrally procured at Candigra Vision Process Equipment Pvt. Ltd. and for Inoxpa India Pvt. Ltd. which is Group Company.

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It may be mentioned that, in terms of Para 6.13(d) of FTP 2015-2020, “in respect of a group of EOUs/EHTPs/STPs/BTP Units which source inputs centrally in order to obtain bulk discount and/or reduce cost of transportation and other logistics cost and/or to maintain effective supply chain, inter unit transfer of goods and services may be permitted on a case-to-case basis by the Unit Approval Committee. In case inputs so sourced are imported and then transferred to another unit, then value of the goods so transferred shall be taken as inflow for the unit transferring these goods and as outflow for the unit receiving these goods, for the purpose of calculation of NFE”.

The proposal of the unit for transfer of raw material is placed before the Unit Approval Committee for consideration.

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**OFFICE OF THE DEVELOPMENT COMMISSIONER,  
SEEPZ SPECIAL ECONOMIC ZONE, GOVT. OF INDIA,  
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**AGENDA NOTE FOR CONSIDERATION OF UNIT APPROVAL COMMITTEE**

**a) Proposal :-**

Excess import of Raw Material during the period 2011-12 to 2015-16 from M/s. Seco Tools India Pvt. Ltd.

**b) Specific Issue on which decision of UAC is required :-**

The unit has submitted the application for continuation EOU for a further period of 5 years with fresh projection for the period 2016-17 to 2020-21. On Scrutiny of the application, it is noticed that during the period 2011-12 to 2015-16, the unit has imported Capital Goods in excess of the approved value.

**c) Relevant Provisions of FTP/HBP :-**

In terms of Para 6.01 (f) of Handbook of Procedure 2015-2020, "LOP/LOI shall specify item(s) of manufacture/service activity, annual capacity, projected annual export for first five years in dollar terms, Net Foreign Exchange (NFE) earnings, limitations, if any, regarding sale of finished goods, by-products and rejects in DTA and such other matter as may be necessary and also impose such conditions as may be required".

Further in terms of Para 6.34 (3) of Handbook of Procedure 2015-2020, "To allow increase in value of capital goods in terms of Indian Rupees, on account of foreign exchange rate fluctuations".

**d) Other Information :-**

M/s. Seco Tools India Pvt. Ltd., Pune-IV were issued LOP No. SEEPZ/IA-II/PER:83(2005)/72/2005-06/723 dated 20.01.2006 as amended for manufacture and export of Cutting Tools viz. Inserts, carriers, Tool Holders & Parts thereof etc at Gat No. 582, Pune Nagar Road, Koregaon Bhima, Taluka Shirur, District Pune - 412 216.

The unit vide letter dated 23.02.2016 submitted application for renewal of LOP for further five years period i.e. 01.04.2016 to 31.03.2021. On Scrutiny of the application, it was noticed that during the period 2011-12 to 2015-16, the unit has imported Raw Material in excess of the approved value. The details are as follows :-

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(₹ in lakhs)

| Year                       | Approved Limit of Raw Material | Actual Import of Raw Material |
|----------------------------|--------------------------------|-------------------------------|
| 2011-12                    | 2,151                          | 3,535                         |
| 2012-13                    | 3,067                          | 5,119                         |
| 2013-14                    | 3,859                          | 6,412                         |
| 2014-15                    | 4,933                          | 7,628                         |
| 01.04.15<br>to<br>31.12.15 | 6,079                          | 4,406                         |
| <b>Total</b>               | <b>20,089</b>                  | <b>27,100</b>                 |

This office vide letter dated 22.03.2016 asked the unit to clarify the Excess import of raw material. The unit vide letter dated 24.05.2016 has submitted the following :-

- i) The projections given at the time of renewal of LOP are based on estimates made by them at that time on the several factors like anticipated market conditions, Export Market, mix of imported & indigenous materials, expected localization of imported material, trend of raw material cost etc.
- ii) Though the projections given an estimate what the unit will achieve in five years, there is no binding on EOU to achieve the stipulated exports, Imports and accordingly NFE as long it is positive Net Foreign Exchange Earner. Hence, non-fulfillment of approved projections cannot be considered as violation of conditions of LOP.
- iii) Even the Guidelines for Monitoring the Performance of EOU under Appendix 14-I-G issued under Foreign Trade Policy mentions monitoring based on achievement of positive Net Foreign Exchange and does not mentioned about achieving projected export figures and restriction on imports exceeding projections.

The proposal of the unit for regularisation of excess import is placed before the Unit Approval Committee for consideration.

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