



### **ABSTRACT**

MSME- MSMI Policy 2008 – Incorporation of filing of Entrepreneur Memoranda Part-II / Udyog Aadhaar Memoranda in the Guidelines for Administration of Incentives and Concessions announced in the Micro, Small and Medium Industries Policy 2008 - Amendment – Orders issued.

### **MICRO, SMALL AND MEDIUM ENTERPRISES (D2) DEPARTMENT**

**G.O. (Ms). No.63**

**Dated: 10.09.2019.**

திருவள்ளூர் ஆண்டு 2050  
விகாரி வருடம் ஆவணி, 24.

#### **Read:**

1. G.O. (Ms.) No.14, Micro, Small and Medium Enterprises (B) Department, dated 07.05.2008.
2. Ministry of MSME, Government of India Notification S.O.2576(E), dated 18.09.2015 on the Implementation of Udyog Aadhaar Memorandum.
3. From the Principal Secretary / Industries Commissioner and Director of Industries and Commerce R.C. No.2771/LC1/2016, dated 11.03.2016 and 08.09.2017.

#### **ORDER:**

The Principal Secretary / Industries Commissioner and Director of Industries and Commerce in his proposal third read above has stated as follows:-

As per the orders issued in the G.O. first read above, the package of incentives and concessions, contained in the Micro, Small and Medium Industries Policy, 2008 is being administered to all eligible new Micro, Small and Medium Manufacturing Enterprises. The incentives are also extended to all eligible MSMEs taking up substantial expansion / diversification. The package of incentives and concessions is administered in accordance with the Manual of Guidelines for Administration of

Incentives and Concessions announced in the Micro, Small and Medium Industries Policy 2008, appended as Annexure II.

The Ministry of Micro, Small and Medium Enterprises, Government of India in its notification dated 18.09.2015, specified that every Micro, Small and Medium Enterprise shall file Udyog Aadhaar Memorandum in the form appended to the notification and follow the procedure for filing the Udyog Aadhaar Memorandum. As per the notification, the existing enterprises which have filed EM Part-I or EM Part-II or both shall not be required to file Udyog Aadhaar Memorandum, but if they so desire, they may also file the Udyog Aadhaar Memorandum.

Accordingly the Government have brought the implementation of the Udyog Aadhaar Memorandum in the State, by providing a link in MSME online Portal with effect from 21.01.2016.

2. In this regard, the Principal Secretary / Industries Commissioner and Director of Industries and Commerce has stated that consequent on the adoption of the Udyog Aadhaar Memorandum in the State, the Guidelines for Administration of Incentives and Concessions has to be amended for extending the incentives and concessions to the Micro, Small and Medium Enterprises in the State and has requested for issue of suitable amendment by substituting "Entrepreneurs Memoranda (Part-II) or Udyog Aadhaar Memorandum", for the term, Entrepreneurs Memoranda (Part-II) occurred in Annexure-II, Chapter 4 in the Guidelines for Administration of Incentives and Concessions in the MSMI Policy, 2008.

3. The Government after careful examination have decided to accept the proposal of the Principal Secretary / Industries Commissioner and Director of Industries and Commerce and issue the following Amendment to the G.O. first read above, which shall take effect from 18.09.2015.

**Amendment to Chapter-4 in Annexure-II of the  
MSMI Policy 2008**

For the Chapter 4 occurred in Annexure-II - Guidelines for Administration of Incentives and Concessions of MSMI Policy 2008, the following shall be substituted:-

## **CHAPTER 4**

### **A) Udyog Aadhaar Memorandum**

#### **4.1. Filing of Udyog Aadhaar Memorandum**

Section 8 of the Micro, Small and Medium Enterprises Development (MSMED) Act, 2006 provides for filing of memorandum by a Micro, Small or Medium Enterprise. In exercise of the powers conferred by sub-section (2) of section 8 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006) and in supersession of the notification number S.O.1643(E), dated the 29<sup>th</sup> September 2006 published in Part-II, Section 3, Sub-section (ii) of the Gazette of India, Extra ordinary, dated 30<sup>th</sup> September 2006, the Central Government specifies that every Micro, Small and Medium Enterprise shall file Udyog Aadhaar Memorandum in the form appended to the notification S.O.2576 (E), dated 18<sup>th</sup> September 2015 and follow the following procedure for filing the Udyog Aadhaar Memorandum.

#### **4.2 Procedure for filing Udyog Aadhaar Memorandum**

- a) There shall be no fee for filing the Udyog Aadhaar Memorandum;
- b) Udyog Aadhaar Memorandum shall be filed online at <http://udyogaadhaar.gov.in>, the Udyog Aadhaar Portal maintained by the Ministry of Micro, Small and Medium Enterprises, by every Micro, Small and Medium Enterprise, but in exceptional cases where online filing is not possible for any reasons, a hard copy of the form Annexure-1, duly filled in may be submitted to the concerned District Industries Centre which shall file the Udyog Aadhaar Memorandum online, on behalf of such enterprise.
- c) Udyog Aadhaar Acknowledgement as per Annexure 2 appended to the notification, S.O.2576(E) shall be generated and mailed to the email address provided in the Udyog Aadhaar Memorandum which shall contain unique Udyog Aadhaar Number;
- d) Existing enterprises, which have filed Entrepreneur Memorandum Part-I or Entrepreneur Memorandum Part-II or both, or the holders of Small Scale Industry registration, prior to the coming into force of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006) shall not be required to file Udyog Aadhaar Memorandum, but if they so desire, they may also file the Udyog Aadhaar Memorandum;
- e) In the Udyog Aadhaar Memorandum, the Aadhaar Number shall be of the proprietor, in case of proprietary enterprise, of the authorized partner in case of partnership enterprise, and of the authorised person, in case of other forms of enterprises;
- f) There shall be no restriction on filing more than one Udyog Aadhaar Memorandum using the same Aadhaar Number;

- g) The Udyog Aadhaar Memorandum shall be filed on self declaration basis, and no supporting document is required to be uploaded or submitted while filing the Udyog Aadhaar Memorandum, but the Central Government or the State Government or such person as may be authorized in this behalf may seek documentary proof of information provided in the Udyog Aadhaar Memorandum, wherever necessary.

#### **4.3 Change in investment in Plant & Machinery etc.,**

In case of change in the investment in plant and machinery or in equipment, change of products and that of services or addition in products or services, the enterprises who have already filed Udyog Aadhaar Memorandum should make necessary changes through the website <http://udyogaadhaar.gov.in>

#### **4.4 Date of commencement of production**

The date of commencement of production of a new Enterprise as well as that of a Enterprise undergoing Expansion/diversification is an important criterion to decide on the eligibility for subsidy and other incentives. The date on which commercial production is commenced in a manufacturing Enterprise as given by the Entrepreneur at the time of filing the Entrepreneur Memorandum (Part II) / Udyog Aadhaar Memorandum is considered as the date of commencement of production of that Enterprise. As acknowledgement for Udyog Aadhaar Memorandum is being given through online <http://udyogaadhaar.gov.in> without inspection of the Enterprises, the entrepreneurs are advised to indicate the correct date of commencement of production etc., to avoid any dispute later.

In case of any perceived discrepancy with regard to the date of commencement of commercial production, the General Managers of District Industries Centres may take the date on which "First Sale Invoice" in case of Manufacturing Enterprise or "Delivery Challan" in case of Manufacturing Enterprise on job work basis, issued by the Enterprise as an evidence for determining the date of commencement of commercial production of that Enterprise.

#### **4.5 Incentives Intimation Letter**

Those Enterprises eligible to avail incentives listed in the Micro, Small and Medium Industries Policy-2008 will be issued with an "Incentives Intimation Letter" on the incentives eligible to them as per the provisions of the Micro, Small & Medium Industries Policy, to the registered e-mail address mentioned in the Udyog Aadhaar Memorandum, by the District Industries Centre or Office of the Regional Joint Director of Industries & Commerce, Chennai District as the case

may be for information and guidance. It is the responsibility of the Entrepreneurs to apply for eligible incentives as per the instructions and within the time limit stipulated in the Incentives Intimation Letter.

**B. GENERAL**

In the Guidelines for Administration of Incentives and Concessions, the term "Entrepreneur Memoranda (Part-II)" shall be substituted, henceforth, with "Entrepreneur Memoranda (Part-II) or Udyog Aadhaar Memorandum".

4. This order issues with the concurrence of Finance Department vide its U.O. No.43335/Ind/2019, dated 05.09.2019.

**(BY ORDER OF THE GOVERNOR)**

**HANS RAJ VERMA  
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT [FAC]**

To

The Principal Secretary/ Industries Commissioner and  
Director of Industries and Commerce, Chennai-32.

The Additional Chief Secretary / Chairman and Managing Director (FAC),  
Tamil Nadu Small Industries Development Corporation Limited, Chennai-32  
All District Collectors.

The Accountant General, Chennai-6/18.

**Copy to:**

The Special Personal Assistant to the Hon'ble Minister (Rural Industries),  
Chennai-9.

All sections (except Bills) in  
Micro, Small and Medium Enterprises  
Department, Chennai-9.

The Finance (Industries) Department, Chennai-9.

Stock file / Spare copy.

**// FORWARDED BY ORDER //**

*[Handwritten signature]*  
10/9/19

**SECTION OFFICER**

*[Handwritten initials]*  
10/9/19.