16(20)/1/2009-MSME POL

The Development Commissioner (Industries),
Government of Maharashtra,
Directorate of Industries,
New Administrative Building,
Opp. Mantralaya,
Mumbai-400032

Dated 05.11.2009

Subject: Filing of EM under MSMED Act 2006-reg.

Sir,

Bombay Small Scale Industries Association (BSSIA), Mumbai has represented in this office regarding penalty imposed by the Maharashtra State Electricity Board (MSEB) on one of their member enterprise due to the use of the term “enterprise” (as provided for in MSMED Act 2006) in place of “industry”, on the ground that the connection was for an “Industry” and not for “Enterprise”.

2. The MSMED Act 2006 uses the terminology “Enterprise” for the establishments engaged in manufacturing sector as well as in service sector. Therefore, present terminology “manufacturing enterprise” should be considered as equivalent to the term “industry” or industrial undertaking, which was used earlier in the definition of small-scale industry. The establishments engaged in services are termed as “Service Enterprises” in the MSMED Act 2006.

3. In view of the above, it is requested that this fact may kindly be brought to the notice of MSEB and all other state government departments/undertakings at State as well as district level in order to avoid any such problem to MSMEs in future and all bonafide assistance may please be provided to micro small and medium enterprises by all the State Government departments as well as by financial institutions for their promotion and development.

Yours faithfully,

(P.K. Sinha)
Dy. Director (MSME Pol.)

Copy to:

1. Principal Secretaries/ Secretaries, I/c of matters of MSMEs, All States/UTs-
   With a request for similar action in the States/UTs.
2. Chairman, NABARD, Mumbai;
3. Chairman & Managing Director, SIDBI, Lucknow,
4. Chairman, Indian Bank Association, Mumbai,

----------contd.2/-. 
5. Dy. Governor, RBI, Mumbai,
6. Chairman & Managing Directors, Commercial Banks and Financial Institutions including State Financial Corporations as per mailing list,
7. Chairman & Managing Director, NSIC, New Delhi,
8. Commissioner/Director of Industries/ I/c of matters of MSMEs, All States/UTs,
9. Director/Dy. Director, I/c MSME DIs/ Br. MSME DIs, All States/UTs,
10. President, Associations of MSMEs, as per mailing list.
11. President, ICAI, P.B. No. 7100, ICAI Bhavan, IP Estate, New Delhi-110104
12. The President, Bombay Small Scale Industries Association (BSSIA), C/o M/s Bharat Traders, B-20, Giriraj Industrial Estate, Mahakall Caves Road, Andheri East, Mumbai –for information

(P.K. Sinha)
Subject: Amendment in the definition of the word “Enterprise” under section 2(e) of the MSMED Act 2006-reg.

References have been received in this office to amend the definition of the word “Enterprise” given in section 2(e) of the MSMED Act 2006 in the light of notification no. S.O.199(E) dated 16.1.2009 (copy enclosed for ready reference) regarding amendment in the definition of manufacturing MSMEs.

2. In this regard, it is to state that the definition of micro, small and medium enterprises under MSMED Act 2006 is given separately in section 2(h), (m) and (g) respectively. Therefore, the definition of manufacturing micro, small and medium enterprises will be as per sub-clause (i), (ii) and (iii) of clause (a) of section 7(1) of the MSMED Act 2006. Section 2(e) of the MSMED Act 2006 only define the word “Enterprise” whereas the definition of micro, small and medium enterprises under MSMED Act 2006 will be as per section 2(h), (m) and (g) respectively.

3. This issues with the approval of Additional Development Commissioner (MSME Policy).

Encl.: as above

To
As per list.
Mailing List.

1. Principal Secretaries/Secretaries, I/c of matters of MSMEs, All States/UTs,
2. Chairman & Managing Director, SIDBI, Lucknow,
3. Dy. Governor, RBI, Mumbai,
4. Chairman & Managing Director, NSIC, New Delhi,
5. Commissioner/Director of Industries, I/c of matters of MSMEs, All States/UTs,
6. Director/Dy. Director, I/c MSME DIs/Br. MSME DIs, All States/UTs,
7. President, Associations of MSMEs, as per mailing list.
8. CEO, Credit Guarantee Fund Trust for MSEs, 7th Floor, SME Development Centre, 
   C-11, G Block, Bandra, Kurla Complex, Bandra (East), Mumbai-51
9. Laghu Udyog Bharati, 1E/11, Swami Ramtirth Nagar, Jhandewalan Extn., New 
   Delhi-110055- with ref. to letter No.LUB/2014-15/376 dated 04.11.2014

Director, SENET, O/o DC(MSME)—For placing the same on office’s website.