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Government of Odisha
Micro, Small and Medium Enterprises Department

NOTIFICATION

No. MS&I-136/2017 496 / MSME dated 27-01-2018

B.C.D.M. 20
1/2/2018

In exercise of the powers conferred by sub-section (1) and sub-section (2) of section 30 read with sub-section (3) of section 21 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), and in supersession of the Odisha Micro, Small and Medium Enterprises Facilitation Council Rules, 2008, except as respects things done or omitted to be done before such supersession, the State Government do hereby make the following rules for facilitating the working of Micro, Small and Medium Enterprises Facilitation Council, namely :-

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1. Short title, extent and commencement.— (1) These rules may be called the Odisha Micro and Small Enterprises Facilitation Council Rules, 2018.

(2) They shall extend to the whole of the State of Odisha.

(3) They shall come into force on the date of their publication in the Odisha Gazette.

2. Definitions.— (1) In these rules, unless the context otherwise requires, —

(a) "Act" means the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006);

(b) "Arbitration and Conciliation Act" means the Arbitration and Conciliation Act, 1996 (26 of 1996);

(c) "Chairperson" means the Chairperson of the Council appointed under clause (i) of sub-section (1) of Section 21;

(d) "Council" means the Odisha Micro and Small Enterprises Facilitation Council, established by the Government under section 20;

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- (e) "Form" means Form appended to these Rules;
- (f) "Government" means the Government of Odisha;
- (g) "Institute" means any institution or centre providing alternate dispute resolution service referred to in sub-sections (2) and (3) of section 18;
- (h) "Member" means a member of the Council;
- (i) "MSE" means a Micro or Small Enterprise as per the provisions of the Act; and
- (j) "section" means a Section of the Act.

(2) The words and expressions used and not defined, but defined in the Act shall have the same meanings as assigned to them in the Act.

3. Manner of appointment of members and term of office.— (1) The Director of Industries, Odisha shall be appointed as Chairperson of the Council.

(2) Where the Government consider to establish more than one Council under Section 20, it may appoint such officer not below the rank of such Director, in the Department of the Government having administrative control of the Small Scale Industries or as the case may be, Micro, Small and Medium Enterprises.

(3) At least one member from each category mentioned in clauses (ii), (iii) (iv) of sub-section (1) of Section 21 shall be appointed by the Government.

(4) Every member, other than the Chairperson, shall hold office for a term of three years from the date of his appointment unless removed earlier:

Provided that a member appointed under clauses (ii) and (iii) of sub-section (1) of Section 21 shall cease to be a member of the Council, if he ceases to represent the category or interest from which he was so appointed.

(5) Any member of the Council may resign from the Council by tendering one month's notice in writing to the Government.

(6) When a member of the Council dies or resigns or is removed from office or becomes incapable of acting as a member, the Government may appoint another person representing that category to fill that vacancy.

(7) The Government may remove any member from the office on any of the following grounds, namely: –

- (a) he is of unsound mind and stands so declared by a competent court; or
- (b) he becomes bankrupt or insolvent or suspends payment to his creditors; or
- (c) he is convicted of any offence, which is punishable under the Indian Penal Code, 1860 (Act XLV of 1860); or
- (d) he abstains himself from three consecutive meetings of the Council without the leave of the Chairperson and in any case from five consecutive meetings; or
- (e) he acquires such financial or other interest as is likely, in the opinion of the Government, to affect prejudicially his functions as a member.

✓ 4. **Honorarium and allowances of the members.**– The honorarium and any allowance which is payable to the members shall be at such rate as may be decided by the Government, from time to time.

✓ 5. **Secretarial assistance.**– (1) For the purpose of efficient functioning of the Council, the Government shall provide such officers and employees to the Council including a legal expert to assist the Council.

✓ (2) The Government may designate any officer so provided to the Council to work as Secretary to Council and the Secretary so designated shall discharge such functions as may be assigned to him by the Council.

6. **Procedure to be followed in the discharge of functions by the Council.**–

(1) An aggrieved MSE unit may make a reference to the Council having

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Form-I
[See rule 6(1)]

To
The Chairperson
Micro and Small Enterprises Facilitation Council
Odisha

Reference: U/s 18 of the Micro, Small & Medium Enterprises Development Act, 2006 (MSMED).

I am authorised representative of M/s This firm is a micro/small unit as per provisions of Micro, Small and Medium Enterprises Development Act, 2006. This unit has supplied the goods to M/s, but it has not been paid as per provisions of Section 15 of the Micro, Small and Medium Enterprises Development Act, 2006. I, therefore, aggrieved with this unit, wish to file a reference. The information pertaining to the case is as under:

1. Udyog Aadhar No. (Note-MSME unit can register Udyog Aadhar on Udyogaadhar.gov.in (<http://udyogaadhar.gov.in>) :
2. Date of Filing Application (DD/MM/YYYY) :
3. Details of aggrieved MSE Unit :
 - 3.1 Name of Authorised representative :
(authorisation to be attached)
 - 3.2 Name of the Unit :
 - 3.3 Address (including Pin code) :
 - 3.4 State :
 - 3.5 District :
 - 3.6 Mobile Number :
 - 3.7 Email :
 - 3.8 Type of aggrieved MSE :

| | |
|-------|-------|
| Micro | Small |
|-------|-------|
4. Name of Respondent (Buyer):
 - 4.1 Address (including Pin Code) :
 - 4.2 State :
 - 4.3 District :
 - 4.4 Mobile No :
 - 4.5 Email :
 - 4.6 Category of Respondent (Buyer)[CPSU/State PSU/.....]:
5. Principal Amount Payable (Rs.) :
6. Interest claimed as on :
7. Fee paid, if any :

[Handwritten signature]

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7.1 Amount :

7.2 Methodology :

7.3 Documents enclosed in support of claim in respect of supply of goods supply or services rendered as referred above :

(i)

(ii)

(iii)

(iv)

I hereby declare that information given above is true to the best of my knowledge. Any information that may be further required, shall be provided immediately before the concerned authority. I further declare that I have not filed/preferred any appeal before any court on the same dispute.

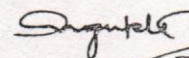
Signature.....

Name

Date:

(Authorised Signatory on behalf of aggrieved MSE)

By Order of the Governor



27.1.18

Additional Chief Secretary to Government

Memo No. 497 /MSME, Bhubaneswar. dated 27-01-2018

Copy forwarded to the Deputy Director, Secretariat Branch Press, Unit-III, Bhubaneswar with a request to publish the aforesaid notification in an extraordinary issue of the Gazette on 29-01-2018 of Odisha and to supply 300 copies thereof to this Department.

[Signature]
27/1/2018
Additional Secretary to Government

Memo No. 498 /MSME, Bhubaneswar 27-01-2018

Copy forwarded to the Private Secretary to the Principal Secretary to Hon'ble Chief Minister, Odisha / Private Secretary to Hon'ble Minister, MSME, W&CD & SSEPD for kind information of Hon'ble Chief Minister / Hon'ble Minister, MSME, W&CD & SSEPD, Odisha.

[Signature]
27/1/2018
Additional Secretary to Government

Memo No. 499 /MSME, Bhubaneswar dated 27-01-2018

Private Secretary to the Chief Secretary, Odisha for kind information of Chief Secretary, Odisha.

[Signature]
27/1/2018
Additional Secretary to Government

Memo No. 500 /MSME, Bhubaneswar dated 27-01-2018

Copy forwarded to Accountant General, Odisha, Bhubaneswar / all Departments / all Heads of the Departments / all Revenue Divisional Commissioners / all Collectors for information and necessary action.

[Signature]
27/1/2018
Additional Secretary to Government

Memo No. 501 /MSME, Bhubaneswar dated 27-01-2018

Copy forwarded to the Director of Industries, Odisha, Cuttack / all General Managers, District Industries Centres / Regional Industries Centres for information and necessary action.

[Signature]
27/1/2018
Additional Secretary to Government

Memo No. 502 /MSME, Bhubaneswar, dated 27-01-2018

Copy forwarded to Head, State Portal Group, IT Centre, Secretariat for information and necessary action. He is requested to upload the above Notification in the departmental website.

[Signature]
27/1/2018
Additional Secretary to Government

GOVERNMENT OF MEGHALAYA
COMMERCE & INDUSTRIES DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Shillong, the 21st May, 2020.

No.IND.161/2008/406 :- In pursuance of the powers conferred by clause (a) of sub-section (2) of Section 30 read with sub-section (3) of Section 21 of the Micro, Small and Medium Enterprises Development Act, 2006 (No.27 of 2006), the Governor of Meghalaya hereby makes the following rules to amend the Meghalaya Micro and Small Enterprises Facilitation Council Rules, 2019 (hereinafter referred to as the principal rules), namely :-

| | | |
|----|--|---|
| 1. | Short title and commencement. | 1) These rules may be called the Meghalaya Micro and Small Enterprises Facilitation Council (Amendment) Rules, 2020. 2) They shall come into force from the date of their publication in the Official Gazette. |
| 2. | Insertion of new rule 7A after rule 7 of the principal rules | In the principal rules, after rule 7, the following new rule 7A shall be inserted, namely :- "7A. Recovery of amount due as arrears of land revenue,- If a buyer does not file any appeal under Section 19 of the Act for setting aside any decree, award or other order made either by the Council itself or by any institution or centre or if such appeal is dismissed, in that situation such decree, award or order shall be executed by the District Collector of the District concerned and the amount shall be recovered as arrears of land revenue." |

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5/5/2020

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5-6-2020

Sd/- (M.R.Synrem, IAS)

Commissioner & Secretary to the Govt. of Meghalaya,
Commerce & Industries Department.

Memo No.IND. 161/2008/406 -A

Dated Shillong, the 21st May, 2020.

Copy to :-

1. The Additional Secretary & Development Commission (MSME), Ministry of Micro, Small & Medium Enterprises, Govt. Of India, Office of DC-MSME "A" Wing 7th Floor, Nirman Bhawan, New Delhi - 110108.
2. P.S. to Hon'ble Chief Minister, Meghalaya, Shillong for the information of Chief Minister.
3. P.S. to Hon'ble Minister in-charge Commerce & Industries for the information of the Minister.
4. P.S. to Chief Secretary, Meghalaya, Shillong.
5. Administrative Departments, Meghalaya, Shillong.
6. P.S. to Commissioner & Secretary, Commerce & Industries Department.
7. All Heads of Department.
8. Director of Printing & Stationery with a request to publish this Notification in the Meghalaya Extra Ordinary Gazette and also to furnish a copy to this Department.
9. Director of Commerce & Industries, Meghalaya, Shillong with reference to letter No.M/Dind/MSME/8/2017/172 dt. 29.01.2020.

By Orders etc.,

Under Secretary to the Govt. of Meghalaya,
Commerce & Industries Department.

ADP/SM

P.u. on file immediately. This is a great achievement of this Ministry. We may also put up find out the status in other States as regards this issue.

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Initial of the
Commercial (CPI)

DJ(AE-1)
17.06.2020