No: 2(3)/1/2008 MSME POL.

Government of India

Ministry of Micro, Small and Medium Enterprises

OFFICE OF THE DEVELOPMENT COMMISSIONER

(Micro, Small and Medium Enterprises)

Nirman Bhavan, New Delhi-110108 Dated 05 February, 2009

#### OFFICE MEMORANDUM

Subject:- Action under Micro, Small and Medium Enterprises Development (MSMED) Act, 2006-forwarding of notifications.

Amendments have been made in the notifications No. S.O.1642(E) dated 29 September 2006 which contains the definition/classification of micro, small and medium enterprises (MSMEs) and No.S.O.1643(E) dated 29 September 2006 wherein the format of Entrepreneurs' Memorandum (EM) had been notified. Copies of the Notifications No. S.O.199(E) dated 16 January 2009 and No.S.O.200(E) dated 16 January 2009 containing the amendments are forwarded herewith for information as Annex-I.

- The amended status of definition/classification of MSMEs and the format of EM have been enclosed at Annex-II &III respectively.
- This may please be accorded wide publicity.

Encl.: As Above.

(P.K. Sinha) Dy. Director (MSME Pol.) Phone 23061544

To

- Principal Secretaries/ Secretaries, I/c of matters of MSMEs, All States/UTs
- Chairman, NABARD, Mumbai,
- Chairman & Managing Director, SIDBI, Lucknow,
- Chairman, Indian Bank Association, Mumbai,
- 5. Dy. Governor, RBI, Mumbai,
- Chairman & Managing Directors, Commercial Banks and Financial Institutions including State Financial Corporations as per mailing list,
- Chairman & Managing Director, NSIC, New Delhi,
- Commissioner/Director of Industries/ I/c of matters of MSMEs, All States/UTs,
- Director/Dy. Director, I/c MSME DIs/ Br. MSME DIs, All States/UTs,
- 10. President, Associations of MSMEs, as per mailing list.

# MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES NOTIFICATION

New Delhi, the 16th January, 2009

S.O. 199(E).—In exercise of the powers conferred by sub-section (1) of section 7 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), the Central Government, after obtaining the recommendation of the Advisory Committee under sub-section (4) of section 7 of the Act, hereby makes the following amendment in the notification of the Government of India in the Ministry of Micro, Small and Medium Enterprises, number S.O. 1642 (E), dated the 29<sup>th</sup> September, 2006, namely:-

In the said notification, for the portion beginning with the brackets, letter and words "(i) in the case of the enterprises" and ending with words, brackets and figures "the Industries (Development and Regulation) Act, 1951, as--" the following shall be substituted, namely,-

"(i) in case of the enterprises engaged in the manufacture or production of goods pertaining to any industry specified in the First Schedule of the Industries (Development and Regulation) Act, 1951 or employing plant and machinery in the process of value addition to the final product having a distinct name or character or use, as "

[F. No. 2(10)/2006-MSME Policy]
MADHAV LAL, Addl. Secv.

Foot Note: The Principal notification was published in the Gazette of India, Extraordinary, Part II,
Section 3, Sub-section (ii), vide number S.O. 1642 (E), dated the 29<sup>th</sup> September, 2006.

#### NOTIFICATION

New Delhi, the 16th January, 2009

S.O. 200(F).—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), the Central Government, after obtaining the recommendations of the Advisory Committee in this behalf, hereby makes the following amendments in the notification of the Government of India in the Ministry of Micro, Small and Medium Enterprises vide number, S.O. 1643 (E), dated the 29th September, 2006, namely:-

In the said notification,-

#### (A) In Schedule 1,-

- for the serial number 2 and entries relating thereto, the following serial number and entries shall be substituted, namely,—
- "2. THREE COPIES OF MEMORANDUM FOR MICRO AND SMALL ENTERPRISES AND FOUR COPIES FOR MEDIUM ENTERPRISES SHOULD BE FILED.",
- (ii) in PART1.-
- (a) for serial number 13 and entries relating thereto, the following serial number and entries shall be substituted, namely,--

"13.	INSTALLED CAPACITY (proposed) PER AM	NUM	*
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	(ii) PLANT B	QTY	UNIT
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(iii)	in the ACKNOWLEDGEMENT, for the port "(First two boxes" and ending with the wor		
	Entrepreneurs' Memorandum number)", the fo		
	"[First two boxes are for State/Union Territo code, sixth and seventh boxes are for categor manufacturing or service and seventh box for	ory of enterprise	(sixth box for indicting
	last five boxes are for Entrepreneurs' Memoran		or state or medium) at
761	This acknowledgement is valid for a period of t	two years from th	ne date of issue. ";
(iv)	in PART II,  (a) for the serial number 14 and entries relating entries shall be substituted, namely,	g thereto, the fol	lowing serial number an
"14.	INSTALLED CAPACITY PER ANNUM (i) PLANT A	QTY	UNIT
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(v)		the ACKNOWLEDGEMI	ENT, the following	Acknowledgement shall be su
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9.	ENTREPRENEURS N NUMBER	MEMORANDUM [		PART-II

[First two boxes are for State/Union Territory code, next three boxes are for District code, sixth and seventh boxes are for category of enterprise (sixth box for indicting manufacturing or service and seventh box for indicating micro or small or medium) and last five boxes are for Entrepreneurs' Memorandum number]

DATE: PLACE:

SIGNATURE WITH OFFICE SEAL";

- (B) In Schedule II, after the serial number 12 and entries relating thereto, the following serial numbers and entries shall be inserted, namely,—
  - "13. The Acknowledged Entrepreneurs' Memorandum shall be liable to be cancelled in case the unit is found closed for more than 6 months or furnished wrong information in the Entrepreneurs' Memorandum filed or did not follow the instructions at serial number 10 of this Schedule (to be initiated based on any complaint in writing followed by an enquiry under an official not below the authority notified for accepting the Entrepreneurs' Memorandum under the provisions of sub-sections (3) and (4) of section 8 of the said Act.
  - 14. The enterprise has to file the Entrepreneurs' Memorandum Part II again, in case, the status of the enterprise changes from micro to small or small to medium or vice versa, as a result of enhancement/decrease in the investment in plant and machinery/equipments. In such cases, the acknowledgement issued earlier need to be cancelled and the letter of cancellation along with the copy of the cancelled acknowledgement (certified) should be provided to the industrialist so that it may take benefit, if any, for that period of functioning.

- 15. Out of the three copies of the Entrepreneurs' Memorandum filed by the Micro and Small enterprises (both manufacturing and service), first should be retained by the District Industries Centre, second returned to the Enterprise with Entrepreneurs' Memorandum No. allotted, and third should be forwarded to Micro, Small and Medium Enterprises Development Institute concerned.
- 16. Out of the four copies of the Entrepreneurs' Memorandum filed by the medium enterprises (both manufacturing and service), first should be retained by the District Industries Centre, second returned to the Enterprise with Entrepreneurs' Memorandum No. allotted, third forwarded to Micro, Small and Medium Enterprises Development Institute concerned and fourth copy should be forwarded to the Micro, Small and Medium Enterprises Policy Division of the Development Commissioner (Micro, Small and Medium Enterprises), 7th floor, A Wing, Nirman Bhavan, New Delhi.
- 17. In case of companies as defined in Companies Act,1956, (1 cooperative/partnership firms and trusts, the change of name of the enterprise, if any, should be informed to General Manager, District Industries Centre or the authority notified for filing of Entrepreneurs' Memorandum in the State/UT within three months of change. In case of ownership firms, the same should be communicated within three months of effecting the change in name along with an affidavit."

[F. No. 2(10)/2006-MSME Policy] MADIIAV LAL, Addl. Secy.

Foot Note: The Principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), vide S.O. 1643 (E), dated the 29th September, 2006 and further amended vide notification S.O. 941 (E), dated the 7th June, 2007.

# AFTER AMENDMENT THE CLASSIFICATION OF MICRO, SMALL AND MEDIUM ENTERPRISES UNDER THE MSMED ACT 2006 SHALL BE AS UNDER.

The following enterprises, whether proprietorship, Hindu undivided family, association of persons, co-operative society, partnership or undertaking or any other legal entity, by whatever name called:-

- (i) in the case of the enterprises engaged in the manufacture or production of goods pertaining to any industry specified in the First Schedule to the Industries (Development and Regulation) Act, 1951, or employing plant and machinery in the process of value addition to the final product having a distinct name or character or use, as —
- (a) a micro enterprise, where the investment in plant and machinery does not exceed twenty five lakh rupees;
- (b) a small enterprise, where the investment in plant and machinery is more than twenty five lakh rupees but does not exceed five crore rupees;
- (c) or a medium enterprise, where the investment in plant and machinery is more than five crore rupees but does not exceed ten crore rupees;
- (ii) in the case of the enterprises engaged in providing or rendering of services, as -
- (a) a micro enterprise, where the investment in equipment does not exceed ten lakh rupees;
- (b) a small enterprise, where the investment in equipment is more than ten lakh rupees but does not exceed two crore rupees; or
- (c) a medium enterprise, where the investment in equipment is more than two crore rupees but does not exceed five crore rupees.

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AMENDED FORMAT FOR THE ENTREPRENEURS' MEMORANDUM UNDER THE MSMED ACT 2006 AFTER INCLUSION OF THE AMENDMENTS VIDE NOTIFICATION NO. S.O.941(E) DATED 07.6.2007 AND NOTIFICATION NO. S.O.200(E) DATED 16.1.2009.

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# Entrepreneurs Memorandum For Setting Up Micro, Small or Medium Enterprise

#### GENERAL INSTRUCTIONS

- MEMORANDUM IS TO BE FILED WITH THE DISTRICT INDUSTRIES CENTRE\*, BY A MICRO, SMALL OR MEDIUM ENTERPRISE, AS THE CASE MAY BE, UNDER SUB-SECTION (1) OF SECTION 8 OF THE MICRO, SMALL & MEDIUM ENTERPRISES DEVELOPMENT (MSMED) ACT, 2006.
- THREE COPIES OF MEMORANDUM FOR MICRO AND SMALL ENTERPRISES AND FOUR COPIES FOR MEDIUM ENTERPRISES SHOULD BE FILED.
- THERE IS NO FEE FOR PROCESSING THE MEMORANDUM.
- 4. EXISTING UNITS SHOULD FILL UP ONLY PART II OF THE MEMORANDUM.
- IN CASE OF ANY CHANGE IN THE INFORMATION, AT ANY POINT OF TIME, PLEASE INFORM THE DETAILS WITHIN THREE MONTH TO DIC.
- 6. WRITE / TYPE IN BLOCK (CAPITAL) LETTERS
- LEAVE ONE BLANK BOX AFTER EACH WORD.
- 8. FILL UP WHICHEVER IS APPLICABLE.
- ALL CODES OTHER THAN PIN CODE SHALL BE FILLED BY THE OFFICE.
- 10. FORM WILL BE MACHINE NUMBERED BY THE DISTRICT INDUSTRIES CENTRE.

\* To be filed at the DIC under whose jurisdiction the enterprise is proposed to be located.

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	4. PROPOSED LOCATION OF ENTERPRISE
	(i) VILLAGE / TOWN
	CODE
	(ii )TEHSIL/TALUK/ MANDAL .
	CODE
	(iii) DISTRICT
	CODE
	(iv) STATE
	CODE
	(v) PIN CODE
	(vi) AREA; (RURAL-I, URBAN-2)
5.	CATEGORY OF ENTERPRISE (MICRO-1, SMALL -2, MEDIUM - 3)
6.	NATURE OF ACTIVITY [Tick Appropriate Box(es)]
	(i) MANUFACTURE
	(ii) SERVICE
7.	NATURE OF OPERATION (Perennial-1, Seasonal-2, Casual-3)
8.	WHETHER THE UNIT WILL BE AN ANCILLARY (Yes-1, No-2)
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	SOURCE OF ENERGY	QTY	UNIT
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16. EX	PECTED EMPLOYMENT		(Nos.)
	(i) MANAGEMENT & OFFICE STAFF		
	(ii) SUPERVISORY		
	(iii) WORKERS		
17. EN OR	TREPRENEURS' PROFILE (OF ALL PARTNERS/DIR GANISATION-USE SEPARATE SHEETS, IF NEEDE	ECTORS OF D)	THE
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(iii) KNOWLEDGE LEVEL [TECHNICAL GRADUATE-1, MANAGEMENT GRADUATE-2, POST GRADUATE-3,OTHER GRADUATE-4, UNDERGRADUATE-5, ANY OTHER LOWER-6]
(iv) EQUITY PARTICIPATION (in Rupee.)
(Percentage of total equity )
(v) STAKE IN OTHER MANUFACTURING ENTERPRISES  (Yes-1, No-2)  [ADD ADDITIONAL SHEET, IF NEEDED]
18. EXPECTED SCHEDULE OF COMMENCEMENT OF PRODUCTION / ACTIVITY M M Y Y Y Y
DATE: PLACE:  [SIGNATURE OF THE APPLICANT /AUTHORISED PERSON
NAME OF THE PROPRIETOR/PARTNER/ MANAGING DIRECTO
<ul> <li>(a) Enclose a self-certified copy of Power of Attorney/Board Resolution/Society Resolution wherever applicable, while signing as Partner/Managing Director or Authorised Person.</li> <li>(b) Enclose a certified/notarized copy of the Partnership Deed/Memorandum of Association/Article of Association in case of Medium Enterprises.</li> </ul>
Undertaking
This is to certify that the information furnished in the memorandum in FORM NO is true and correct to the best of my knowledge and belief.
DATE: PLACE:
ISIGNATURE OF THE APPLICANT /AUTHORISED PERSON

Form	No	******

WITH OFFICE SEAL

### ACKNOWLEDGEMENT

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M/S.	HAS FILED MEMORANDUM EXPRESSING
ITS INTENT TO SET UP A	(MANUFACTURING/SERVICE)
ENTERPRISE AT THE ADDRESS PIN	FOR THE ITEM/ITEMS INDICATED
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box for indicating micro or small or medium) and last	t five boxes are for EM number]
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	(E) FAY NUMBER	+	+	+	+	÷	÷	+	4
	(ii) FAX NUMBER	_	$\perp$	_	1	_	_	_	_
	(iii) CELL PHONE NUMBER								
	(iv) E-MAIL	T	T		T	T	T	T	7
				T	T		T	T	
			_	_	_	-		_	

(iv) WEB-SITE	
3. NAME OF ENTERPRISE .	V 1111111
4. LOCATION OF ENTERPRISE  (i) VILLAGE / TOWN	
resource of the first of the fi	
CODE	
(ii )TEHSIL / TALUK / MANDAL	
CODE	
(iii) DISTRICT	
CODE	
(iv) STATE	
CODE	
(v) PIN CODE	
(vi) AREA; (RURAL -1, URBAN -2)	
5. CATEGORY OF ENTERPRISE (MICRO-1, SMALL -2, MEDIUM 3)	
6. NATURE OF ACTIVITY [Tick Appropriate Box(s)]	
(i) MANUFACTURE	
(ii) SERVICE	HATE COMMENT
7. NATURE OF OPERATION (Perennial-1, Seasonal-2, Casual-3)	
8. WHETHER THE UNIT IS AN ANCILLARY (Yes-1, No-2)	ши.
9. MONTH OF INSTALLATION OF PLANT & MACHINERY	MMYYYY
10. WHETHER THE UNIT IS REGISTERED UNDER FACTORY ACT (Under Section 2m(i)/2m(i)-1, 85)D/85(ii)-2, not registered = 3)	

11. TYPE OF O [PROPRIE PVT. LTD OTHERS-	FORY-1, HUF -2, PARTNERSHIP-3, CO-OPERATIVE -4, COMPANY -5, PUBLIC LIMITED COMPANY-6, SELF-HELP GROUP-7,
12. (a) MAIN M	ANUFACTURING/SERVICE ACTIVITY
NAME	
CC	DDE (NIC 98*)
(b) PRODE	UCTS TO BE MANUFACTURED/SERVICE TO BE PROVIDED
(i) NAME	
	CODE (ASICC2000*)
(ii) NAME	
	CODE (ASICC2000*)
(iii) NAME	
	CODE (ASICCEONOS)
	CODE (ASICC2000*)
(iv) NAME	
C	CODE (ASICC2000*)
(v) NAME	
- 0	ODE (ASICC2000*)
office of the Develo Centre or the office (ADD ADDITI	ities and products/services as per classification specified from time to time by the opment Commissioner (Small Scale Industries), to be filled in by District Industries where the Entrepreneurs' Memorandum is to be submitted.  ONAL SHEET FOR MORE PRODUCTS)  ENT IN FIXED ASSETS [In Rupees lakh]
	D (OWNED-01/RENTED-02/ LEASED-03)
(4)	
2240 (SALESSON)	VALUE*
(ii) BUIL	DING (OWNED-01/RENTED-02/ LEASED-03)
	VALUE*
	T & MACHINERY VALUE* se of manufacturing unit)

(17)	(In case of servicing unit)	VALUE*		Seajon S
(v)	FOREIGN EQUITY, IF ANY	VALUE*		
[ * The value written as ] etc., to be gi	ue in the boxes should be filled from  1 0 . This will also app	right side e.g. i ly to all other it	If the value is R tems (rows) wh	s.10 lakh it ere quantity
4. INSTA	ALLED CAPACITY PER ANNUM (iii) PLANT A		QTY	UNIT
	PRODUCT			
	PRODUCT			
	PRODUCT			
	PRODUCT	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
	(iv)PLANT B		QTY	UNIT
	PRODUCT	• • • • • • • • • • • • • • • • • • • •		
	PRODUCT	***********	A PROPERTY.	
	PRODUCT			n -
	PRODUCT			
. POWER	LOAD H.P / K,W.			
	OTHER SOURCE OF ENERGY/PO'	WER		
ELECT TRAD	OWER NEEDED -1, COAL-2, OIL FRICITY FROM GENERATOR- 6, DITIONAL ENERGY/FIREWOOD-8 no power required, specify reasons;	NON-CONVE	ECTRICITY FI NTIONAL EN	ROM GRID ERGY -7,
(b) IN	DICATE ANNUAL REQUIREMEN SOURCE OF ENERGY	T	QTY	UNITS
******		IRA TO DATE		
*****	***************************************	[		
*****	*			

17.	EMPLOYMENT		100
	THE PART OF THE PA	MALE ( Nos.)	FEMALE (Nos.)
	(i) MANAGEMENT & OFFICE STAFF (ii) SUPERVISORY		
	(iii) WORKERS		
18.	TOTAL ANNUAL TURNOVER (in Rupec.) (If less than one year of operation, then expected turnover)		
19.	EXPORT (if any) (in Rupee)		
20.	ENTREPRENEURS' PROFILE (OF ALL PAR ORGANISATION- USE SEPARATE SHEE	TNERS/DIRECTORS	OF THE
	(a) NAME		
	(i) MALE (M) / FEMALE (F)		
	(ii) SC (1) / ST (2) / OBC (3) / OTHERS PHYSICALLY CHALLENGED (5)	3 (4)	cut -
	(iii) KNOWLEDGE LEVEL [TECHNICAL GRADUATE- 1, MAP POST GRADUATE-3, OTHER GRANY OTHER LOWER -6]	ANAGEMENT GRAD ADUATE-4, UNDERG	UATE-2, iRADUATE-5,
	(iv) EQUITY PARTICIPATION (in Rs.)		TII
	(in % of total equity)		Sin Sin
	(v) STAKE IN OTHER MANUFACTUR (Yes-1, No-2)	ING ENTERPRISES	CHECK!
	[ADD ADITIONAL SHEET, IF NEEDED]		
1. I	DATE OF COMMENCEMENT OF PRODUCT	ION/ACTIVITY D D M M	YYYY
DATE:			

[SIGNATURE OF THE APPLICANT /AUTHORISED PERSON]
NAME OF THE PROPRIETOR/PARTNER/ MANAGING DIRECTOR

(a) Enclose a self-certified copy of Power of Attorney/Board Resolution/Society Resolution, wherever applicable, while signing as Partner/Managing Director or Authorised Person.

(b) Enclose a certified/notarized copy of the Partnership Deed/Memorandum of association/Articles of Association in case of Medium Enterprises.

Undertaking

DATE:

PLACE:

[SIGNATURE OF THE APPLICANT /AUTHORISED PERSON]

# ACKNOWLEDGEMENT

### PART-II

THE RESERVE OF THE RESERVE OF THE PARTY OF T

2	. DI	ETAILS OF ITEM/ITMES TO	BE MANUFACTURED	D/SERVICE TO BE PROVIDED.
	SI. No.	Items of Manufacture/type of service to be rendered	Capacity in case of manufacture	Initial date of production/ commencement of service
	1.			commencement of service
	2.			
	3.			
	4.			
	5.			
	(add a	dditional sheet if required)		
3.		ETAILS OF PLANT AND MAG	200-10-10-10-10-10-10-10-10-10-10-10-10-1	A-Area (s) in presente pre Micros (presente presente pres
	Sl. No	o. Investment in Plant and Ma	chinery/Equipments	Date of Investment
	2.			
	3.			
				4
	(add a	additional sheet if required)		
4.	NOTE RIGHT PERMI LAWS	THE ISSUE OF THIS AC	QUIRED TO SEEK RE ATUTORY OBLIGAT	DOES NOT BESTOW ANY LEGA EQUISITE CLEARANCE/ LICENC FION STIPULATED UNDER TI MENT/ UT ADMINISTRATIO
<b>4</b> .	(add a NOTE RIGHT PERMI LAWS / COUR DATE MICRO	: THE ISSUE OF THIS AC THE ENTERPRISE IS REC TO REQUIRED UNDER ST OF CENTRAL GOVERNMEN	QUIRED TO SEEK RETATUTORY OBLIGATION OF STATE GOVERNORY OF THE PROMETER OF THE	QUISITE CLEARANCE/ LICENC FION STIPULATED UNDER TI MENT/ UT ADMINISTRATIO
	(add a NOTE RIGHT PERMI LAWS / COUR DATE MICRO VICE V	: THE ISSUE OF THIS AC THE ENTERPRISE IS REC TO REQUIRED UNDER ST OF CENTRAL GOVERNMENT OF CHANGE OF CATEGOR D/SMALL TO SMALL/MEDIO	QUIRED TO SEEK RETATUTORY OBLIGATION / STATE GOVERNOR  Y FROM D UM OR	QUISITE CLEARANCE/ LICENC FION STIPULATED UNDER TI MENT/ UT ADMINISTRATIO
5.	(add a NOTE RIGHT PERMI LAWS / COUR DATE MICRO VICE VICE DATE	: THE ISSUE OF THIS AC THE ENTERPRISE IS REC IT REQUIRED UNDER ST OF CENTRAL GOVERNMENT OF CHANGE OF CATEGOR D/SMALL TO SMALL/MEDIT VERSA.	QUIRED TO SEEK RETATUTORY OBLIGATION / STATE GOVERNOR  Y FROM D UM OR	QUISITE CLEARANCE/ LICENCE TON STIPULATED UNDER THE MENTAUT ADMINISTRATION OF THE PROPERTY OF
5.	(add a NOTE RIGHT PERMI LAWS / COUR DATE MICRO VICE VICE NATUR	: THE ISSUE OF THIS ACT. THE ENTERPRISE IS RECOME. THE ENTERPRISE IS R	QUIRED TO SEEK RETATUTORY OBLIGATION / STATE GOVERNITY FROM DUM OR	QUISITE CLEARANCE/ LICENCE TON STIPULATED UNDER THE MENTAUT ADMINISTRATION OF THE PROPERTY OF
5.	(add a NOTE RIGHT PERMI LAWS / COUR DATE MICRO VICE VICE VICE NATUR (MANU	: THE ISSUE OF THIS ACT THE ENTERPRISE IS RECOME TO THE ENTERPRISE IS RECOME TO THE ENTERPRISE IS RECOME TO THE ENTERPRISE IS RECOME TO THE ENTERPRISE OF CATEGOR TO SMALL TO SMALL MEDIT OF ISSUE  RE OF ACTIVITY	QUIRED TO SEEK RETATUTORY OBLIGATION / STATE GOVERNITY FROM DUM OR	QUISITE CLEARANCE/ LICENCE TON STIPULATED UNDER THE MENTAUT ADMINISTRATION OF THE PROPERTY OF
5.	(add a NOTE RIGHT PERMI LAWS / COUR DATE MICRO VICE VICE NATUR	: THE ISSUE OF THIS ACT THE ENTERPRISE IS RECOME TO THE ENTERPRISE IS RECOME TO THE ENTERPRISE IS RECOME TO THE ENTERPRISE IS RECOME TO THE ENTERPRISE OF CATEGOR TO SMALL TO SMALL MEDIT OF ISSUE  RE OF ACTIVITY	QUIRED TO SEEK RETATUTORY OBLIGATION / STATE GOVERNITY FROM DUM OR	QUISITE CLEARANCE/ LIC FION STIPULATED UNDER MENT/ UT ADMINISTR/ D M M Y Y Y Y

[First two boxes are for State/UT code, next three boxes are for District code, sinth and seventh boxes are for category of enterprise (sixth box for indicating manufacturing or service and seventh box for indicating micro or small or medium) and last five boxes are for EM number]

D	ATE:	
PI	ACE:	

SIGNATURE WITH OFFICE SEAL

#### Schedule II

## Procedure of Filing of Entreprencurs Memorandum and other matters, incidental thereto:

- Form of the Entrepreneurs Memorandum can be downloaded from the internet, the address of
  which from Directorate dealing with Micro, Small & Medium Enterprises of the State
  Governments can be obtained / UTs. or the hard copies of the same can be obtained from the
  District Industries Centres. This form can also be downloaded from the Small Industries
  Development Organisation website i.e. www.laghu-udyog.com or www.smallindustryindia.com
- 2. Any person who intends to establish a micro or small enterprise, at his discretion; or a medium enterprise engaged in providing or rendering of services may, at his discretion or a medium enterprise engaged in the manufacture or production of goods shall file the Memorandum of Micro, Small or as the case may be, of Medium Enterprise with District Industries Centre of its area.
- 3. The District Industries Centre shall fill all the codes in the form of the Memorandum and issue an acknowledgement after allotting an EM number, date of issue and category of the unit within five days of the receipt of the form of Memorandum by post or same day, if the form of Memorandum is submitted in person as well as online.
- Before issuing the acknowledgement, the District Industries Centres shall make sure that the form is complete in all respect and particularly the form is signed and is accompanied with an undertaking, which is a part of the form of Entrepreneurs Memorandum.
- 5. The District Industries Centre shall maintain record of all the Entrepreneurs Memorandum so filed in respect of micro, small and medium enterprises engaged in providing and rendering services. District Industries Centres shall forward a copy of the Entrepreneurs Memorandum so filed with EM number allotted to the Small Industries Service Institutes of their State/Jurisdiction.
- 6. The District Industries Centre shall maintain record of all the Entrepreneurs Memorandum so filed in respect of medium enterprises engaged in production/manufacturing of products and forward one copy each of the Entrepreneurs Memorandum with EM number allotted to Small Industries Service Institutes of their State/Jurisdiction and to Joint Development Commissioner (MSME Pol.) in the Office of the Development Commissioner (Small Scale Industries).
- 7. The form of Memorandum is in two parts. Any person who intends to establish a micro, small or medium enterprise engaged in providing or rendering of services may file or those who want to establish medium enterprise engaged in the production or manufacture of products shall file Part 1 of the Entrepreneurs Memorandum to District Industries Centre.
- Once the above enterprises start production or start providing or rendering services, they should file Part II of the Entrepreneurs Memorandum to District Industries Centre.

- In case of non-filing of Part II of the Fattepreneurs Memorandum within two years of the filing of Part I, the Memorandum (Part I) filed by the entrepreneur will become invalid.
  - 10. In case of change in the investment in plant and machinery or in equipment, the enterprises who have already filed Entrepreneurs Memorandum should inform the District Industries Centre of the same in writing within three month of the change in investment.
  - In case of change of products and that of services or addition in products or services, the enterprises who have already filed Entrepreneurs Memorandum should inform the District Industries Centre of the same in writing within three month of the change.
  - The District Industries Centre shall, in addition of keeping a record, in writing, shall also maintain records electronically on computer.
  - 13. The Acknowledged Entrepreneurs' Memorandum shall be liable to be cancelled in case the unit is found closed for more than 6 months or furnished wrong information in the Entrepreneurs' Memorandum filed or did not follow the instructions at serial number 10 of this Schedule (to be initiated based on any complaint in writing followed by an enquiry under an official not below the authority notified for accepting the Entrepreneurs' Memorandum under the provisions of subsections (3) and (4) of section 8 of the said Act.
- 14. The enterprise has to file the Entrepreneurs' Memorandum Part II again, in case, the status of the enterprise changes from micro to small or small to medium or vice versa, as a result of enhancement/decrease in the investment in plant and machinery/equipments. In such cases, the acknowledgement issued earlier need to be cancelled and the letter of cancellation along with the copy of the cancelled acknowledgement (certified) should be provided to the industrialist so that it may take benefit, if any, for that period of functioning.
- Out of the three copies of the Entrepreneurs' Memorandum filed by the Micro and Small enterprises (both manufacturing and service), first should be retained by the District Industries Centre, second returned to the Enterprise with Entrepreneurs' Memorandum No. allotted, and third should be forwarded to Micro, Small and Medium Enterprises Development Institute concerned.
- Out of the four copies of the Entrepreneurs' Memorandum filed by the medium enterprises (both manufacturing and service), first should be retained by the District Industries Centre, second returned to the Enterprise with Entrepreneurs' Memorandum No. allotted, third forwarded to Micro, Small and Medium Enterprises Development Institute concerned and fourth copy should be forwarded to the Micro, Small and Medium Enterprises Policy Division of the Development Commissioner (Micro, Small and Medium Enterprises), 7th floor, A Wing, Nirman Bhavan, New Delhi.
- 17. In case of companies as defined in Companies Act, 1956, (1 of 1956) cooperative/partnership firms and trusts, the change of name of the enterprise, if any, should be informed to General Manager, District Industries Centre or the authority notified for filing of Entrepreneurs' Memorandum in the State/UT within three months of change. In case of ownership firms, the same should be communicated within three months of effecting the change in name along with an affidavit.