विकास आयुक्त (सूक्ष्म, लघु एवं मध्यम उद्यम)
सूक्ष्म, लघु एवं मध्यम उद्यम मंत्रालय,
(भारत सरकार),
निर्माण भवन, सातवीं मंजिल, मौलाना आजाद रोड,
नई दिल्ली-110108

(MICRO, SMALL, & MEDIUM ENTRERPRISES)
सूक्ष्म, लघु एवं मध्यम उद्यम

OFFICE OF THE DEVELOPMENT COMMISSIONE
(MICRO, SMALL, & MEDIUM ENTRERPRISES)
MINISTRY OF MICRO, SMALL, & MEDIUM ENTRERPRISES
Government of India
Nirman Bhawan, 7th Floor, Maulana Azad Road,
New Delhi-110108

Ph. EPABX-23022220, 23022221, 23022202 FAX: - (91-11)-23062315,23061726, 23061068, e-Mail- dc-msme@nic.in

MSME - POLICY DIVISION

No: 4(1)/2006-MSME (Pol) 1 February 2008

OFFICE MEMORANDUM

Subject: Micro, Small and Medium Enterprises (MSMEs) (earlier known as SSI) having plant and machinery / equipment on lease – minimum period of lease for determining the status – clarification regarding.

*****

This has reference to DGFT OM No. 3/4/HQ/07-08/ECA-II dated 28.11.2007 on the subject mentioned above.

2. In this connection the Department of Industrial Development (now known as Department of Industrial Policy and Promotion – DIPP) has issued guidelines vide their circular letter No: SSI (P)-12(16)/85 dated 25th September 1985, wherein the minimum period of lease is stated from 3 to 5 years (Copy enclosed for ready reference).

Encl: as above.

Yours faithfully,

(P.K. Sinha)
Deputy Director (MSME-Pol)

Shri O.P. Hasaria,
Joint Director General of Foreign Trade,
Directorate of General of Foreign Trade,
Ministry of Commerce & Industry,
Udyog Bhavan,
New Delhi

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Copy along with enclosure, for information to:

(1) **The Secretary of Industries** (I/charge of Micro, Small and Medium Enterprises)(All States / Union Territories)/The Commissioner/ **Director of Industries** (All States/Union Territories) – it may, however, be clarified that while computing the value of plant and machinery/equipment to determine the status of such MSMEs, the original value of plant and machinery/equipment, irrespective of the fact whether the same is on lease/ hire purchase, shall be taken in to account, in accordance with provisions stipulated in Ministry of Small Scale Industries (now known as Ministry of Micro, Small and Medium Enterprises –MoMSME), Notification No. S.O.1722 (E) dated 5th October 2006;

(2) The Director, All MSME – Development Institutes,
(3) In-charge Branch MSME-Development Institutes

(P.K. Sinha)

कार्यालय आयुक्त,उद्योग,उद्योग भवन,तिलक मार्ग,
राजस्थान,जयपुर–5

क्रमांकःएफ.15(1)आ.उ./पंजी.अनु./एमएसएमई–नीति/2008 दिनांकः 18-2-08

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित हैः–

1. महाप्रबन्धक,जिला उद्योग केन्द्र,समस्त।
2. सहायक निदेशक/जिला उद्योग अधिकारी,जिला उद्योग उपकेन्द्र,समस्त।
3. मास्टर फाईल।

उप निदेशक,उद्योग

सूक्ष्म लघु एवं मध्यम उद्यम मंत्रालय
(भारत सरकार),
निर्माण भवन, सातवीं मंजिल, मौलाना आजाद रोड
नई दिल्ली-110011

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4(1)/2006-एमएसएमईनीति

कार्यालय ज्ञापन

दिनांक 1.2.2008

विषयः सूक्ष्म लघु एवं मध्यम उद्यम (जो कि पूर्व में लघु उद्योग के रूप में जाने जाते थे) जिन्हौनें संयन्त्र एवं मशीनरी /उपस्कर पट्टे पर लिये है, के लिये पट्टे की न्यूनतम समय सीमा के संबंध में स्पष्टीकरण ।

उपरोक्त विषय पर डीजीएफटी अपने पत्र सं० 3/4/HQ/07-08/ECA-II दिनांक 28.11.2007 का संदर्भ लें ।

2. इस संबंध मे औद्योगिक विकास विभाग(वर्तमान में औद्योगिक नीति एवं संर्वधन विभाग) ने पत्र सं० SSI(P)-12 (16)/85 दिनांक 25.9.1985 के तहत जारी दिशानिर्देशानुसार पट्टे के लिये न्यूनतम समय सीमा 3 से 5 वर्ष उल्लेखित की है (पत्र की प्रति संदर्भ हेतु संलग्न है)

संलग्नकः उपरोक्त

भवदीय

(पी० के० सिनहा)
उपनिदेशक, (एम एस एम ई नीति)

श्री ओ० पी० हसारिया,
संयुक्त महानिदेशक (विदेश व्यापार)
विदेश व्यापार महानिदेशालय,
वाणिज्य एवं उद्योग मंत्रालय,
उद्योग भवन, नई दिल्ली ।

प्रतिलिपि सूचनार्थ सलंग्नक के साथः

1. सचिव, (उद्योग) (प्रभारी, सूक्ष्म लघु एवं मध्यम उद्यम) (सभी राज्य/संघ राज्य क्षेत्र)/आयुक्त/ निदेशक,उद्योग (सभी राज्य/संघ राज्य क्षेत्र) -इस संबंध में स्पष्ट किया जाता है कि लघु उद्योग मंत्रालय (वर्तमान में सूक्ष्म लघु एवं मध्यम उद्यम मंत्रालय) की अधिसूचना सं० का आ०1722(अ) दिनांक 5अक्टूबर,2006 मे वर्णित प्रावधानों के अनुसार सूक्ष्म लघु एवं मध्यम उद्यमों की स्थिति के निर्धारण के लिये संयन्त्र एवं मशीनरी /उपस्कर के मूल्य की गणना में संयन्त्र एवं मशीनरी /उपस्कर की मूल कीमत ली जायेगी चाहे वह पट्टे पर हो अथवा किराये पर।
2. निदेशक, सभी सूक्ष्म लघु एवं मध्यम उद्यम विकास संस्थान ।
3. प्रभारी, सभी शाखा सूक्ष्म लघु एवं मध्यम उद्यम विकास संस्थान ।

(पी० के० सिनहा)

No. SSI(P)-12(16)/85
Government of India
Ministry of Industry and Company Affairs
(Department of Industrial Development)
....

To

New Delhi.

Dated: the 25th Sept., 1985.

The Director of Industries,
All State Governments/Union Territories.

Subject: Small Scale Units held on either lease or hire purchase basis- Registration granted-Validity of such registration.

.....

Sir,

I am directed to state that according to the amendments in the definition of Small Scale and Ancillary Units vide Notification No. 12(139)/LP/79 dated 4th October, 1979 the Small Scale Units which take plant and machinery on lease basis, and do not make any investments of their own on this account, are also eligible for a registration as small scale industrial units provided the value of plant and machinery taken on lease does not exceed the investment ceiling prescribed for Small Scale industries. Accordingly, Small Scale Units which have taken plant and machinery on lease are being registered and granted SSI registration, but the validity of the Certificates of registration of such units is restricted to validity of the lease agreement.

It is felt that the Registration Certificates issued to such small scale units can cause inconvenience to them and can also be misused.

It has, therefore, been decided that in such cases a minimum period of lease from 3 to 5 years may be fixed.

Yours faithfully,

Sd/-

(S.B. Goel)
Deputy Secretary to the Govt. of Indi

Copy to DC(SSI) w.r.t. their U.O. No. 5(2)/84-SSI Bd. dated 19th May, 1985 for information.

(Sd/-
(O.P. Sharma)
Under Secretary to the Govt. of India.