

प्रशासन विभाग मुख्यालय

इंटर ऑफिस मेमो

प्रेषक महाप्रबंधक (प्रशासन) मुख्यालय	प्राप्तकर्ता सभी क्षेत्रीय प्रमुख महाप्रबंधक (परियोजना), एचएसएमआई (इंचार्ज) सभी कार्यकारी निदेशक/महाप्रबंधक सभी संबंधित
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दिनांक – 04.08.2023

विषय: एमएसएमईडी अधिनियम, 2006 के तहत विलंबित भुगतान पर ब्याज की प्रयोज्यता के लिए एमएसई इकाइयों के साथ 'आपूर्तिकर्ता के रूप में न कि खरीदार' और सह-आवेदक के रूप में एनएसआईसी की भूमिका के संबंध में

Sub: Role of NSIC as 'Supplier' and not 'Buyer' and "Co-Applicant along with MSE Units for applicability of interest on delayed payment Under the MSMED Act, 2006-Reg.

संदर्भ: 1. प्रधान लेखा कार्यालय (प्रशासन), आवास और शहरी कार्य मंत्रालय, निर्माण भवन, नई दिल्ली, भारत सरकार का दिनांक 4 जुलाई, 2023 का कार्यालय ज्ञापन

2. सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय (एसएमई अनुभाग) उद्योग भवन, नई दिल्ली, भारत सरकार का दिनांक 14 जून, 2023 का पत्र।

उपरोक्त के संबंध में, कृपया प्रधान लेखा कार्यालय (प्रशासन), आवास और शहरी मामलों के मंत्रालय, निर्माण भवन, नई दिल्ली, भारत सरकार का दिनांक 4 जुलाई, 2023 का कार्यालय ज्ञापन और सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय (एसएमई अनुभाग) उद्योग भवन, नई दिल्ली, भारत सरकार का दिनांक 14 जून, 2023 का पत्र, जो स्वतः स्पष्ट है, आवश्यक जानकारी और आवश्यक कार्रवाई हेतु संलग्न करें।

सभी क्षेत्रीय प्रमुख मुख्यालय के सभी कार्यकारी निदेशक/महाप्रबंधक/महाप्रबंधक (परियोजना), एच एस एम आई (इंचार्ज) सभी संबंधितों के सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित किया जाता है।

यह सक्षम प्राधिकारी के अनुमोदन से जारी किया जाता है।

वेद प्रकाश
सहायक महाप्रबंधक (प्रशासन)

संलग्न – उपरोक्तानुसार

1. संयुक्त महाप्रबंधक (परियोजना), सी एम डी सचिवालय
2. सहायक महाप्रबंधक (सचिवालयी, डी सी पी सचिवालय
3. सहायक महाप्रबंधक (सचिवालयी, डी एफ सचिवालय
4. महाप्रबंधक (विधि) कॉर्पोरेट विजिलेंस विंग



ISO 9001:2015

प्रशासन विभाग मुख्यालय**इंटर ऑफिस मेमो**

प्रेषक	प्राप्तकर्ता
महाप्रबंधक (प्रशासन)	सभी क्षेत्रीय प्रमुख
मुख्यालय	महाप्रबंधक (परियोजना), एच एस एम आई (इंचार्ज)
	सभी कार्यकारी निदेशक/महाप्रबंधक
	सभी सम्बंधित

दिनांक: 04.08.2023

विषय: एमएसएमईडी अधिनियम, 2006 के तहत विलंबित भुगतान पर ब्याज की प्रयोज्यता के लिए एमएसई इकाइयों के साथ 'आपूर्तिकर्ता' के रूप में न कि 'खरीदार' और सह-आवेदक के रूप में एनएसआईसी की भूमिका - के संबंध में

Sub: Role of NSIC as 'Supplier' and not 'Buyer' and 'Co-Applicant along with MSE Units' for applicability of interest on delayed payment Under the MSMED Act, 2006 -Reg.

Ref: 1. Govt. of India, Principal Accounts Office (Admin), Ministry of Housing & Urban Affairs, Nirman Bhawan, New Delhi's OM dated 4th July, 2023
2. Govt. of India, Ministry of Micro, Small and Medium Enterprises (SME Section) Udyog Bhawan, New Delhi's letter dated 14th June, 2023.

With regard to the above, kindly find attached Govt. of India, Principal Accounts Office (Admin), Ministry of Housing & Urban Affairs, Nirman Bhawan, New Delhi's OM dated 4th July, 2023 and Govt. of India, Ministry of Micro, Small and Medium Enterprises (SME Section) Udyog Bhawan, New Delhi's letter dated 14th June, 2023 which are self explanatory, for necessary information and necessary action.

सभी क्षेत्रीय प्रमुख/मुख्यालय के सभी कार्यकारी निदेशक/महाप्रबंधक/महाप्रबंधक (परियोजना), एच एस एम आई (इंचार्ज)/सभी संबंधितों के सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित किया जाता है।

This issues with the approval of Competent Authority.

वेद प्रकाश

सहायक महाप्रबंधक (प्रशासन)

संलग्न: उपरोक्तानुसार

1. संयुक्त महाप्रबंधक (परियोजना), सी एम डी सचिवालय
2. सहायक महाप्रबंधक (सचिवालयी, डी सी पी सचिवालय
3. सहायक महाप्रबंधक (सचिवालयी, डी एफ सचिवालय
4. महाप्रबंधक (विधि), कॉर्पोरेट विजिलेंस विंग

Computer No.: 9062037
GOVERNMENT OF INDIA
PRINCIPAL ACCOUNTS OFFICE (Admin.)
Ministry of Housing and Urban Affairs
202-F, Nirman Bhawan, New Delhi - 110011
Ph: 011-23061283, 23062320

No. D-13020/PrAO/HUA/GeMAdmin/2023-24/ 5293-5300

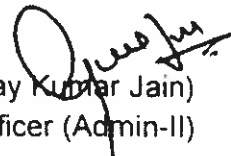
Date: 04.07.2023

OFFICE MEMORANDUM

Subject: Role of NSIC as 'Supplier' and not 'Buyer' and 'Co-Applicant along with MSE units' for applicability of interest on delayed payment Under the MSMED Act, 2006 - reg.

I am directed to enclose herewith Joint Secretary, Ministry of Micro, small & Medium Enterprises' (MSME) letter dated 14.06.2023 (copy enclosed) regarding subject mentioned above for information and necessary action.

2. In this regard, it is directed to all the Departments/Organizations under M/o Housing & Urban Affairs to make timely payments to MSEs as NSIC being a Facilitator and supplier on behalf of MSEs, shall act as Co-Applicant of MSE Units for filing the interest claim along with MSE Units and not to be treated as a Buyer.
3. This issues with the approval of JS&FA, MoHUA.


(Ajay Kumar Jain)
Sr. Accounts Officer (Admin-II)

To,

1. All Additional Secretaries/ Joint Secretaries/ EA(H-I)/ EA(H-II) / OSD(UT), MoHUA
2. Heads of all Attached/Subordinate Offices of MoHUA.
3. Head of all Autonomous/Statutory Bodies under MoHUA.
4. CMDs/MDs of CPSEs – NBCC/HUDCO/HPL of MoHUA.
5. CMDs/MDs of MRTS/ RRTS under MoHUA.

Copy for information to:

1. PSO to Secretary (HUA)
2. PPS to JS & FA, MoHUA
3. SO (IT Cell) for uploading on e-office notice board.

Encls: As above.

F.No. A-54/76/2014-SME
Government of India
Ministry of Micro, Small and Medium Enterprises
(SME Section)

Udyog Bhawan, New Delhi.
Dated 14th June, 2023.

To
All Chief Secretaries
State/Union Territory Governments

Subject: Role of NSIC as 'Supplier' and not 'Buyer' and 'Co-Applicant along with MSE units' for applicability of interest on delayed payment Under the MSMED Act, 2006 — Reg.

Sir/Madam,

The National Small Industries Corporation Ltd (NSIC), a CPSE under the Ministry of Micro, Small & Medium Enterprises (MSME) is engaged in facilitating MSMEs through its various Marketing schemes, such as Consortia & Tender Marketing Scheme to provide marketing support for Micro & Small Enterprises.

2. Accordingly in the MSMED Act, 2006, NSIC has been defined as a Supplier under its Section 2(n) sub clause (i). NSIC at no stage becomes the beneficiary or buyer or end user of the goods being supplied by the MSEs to the PSUs and other Govt. Departments. NSIC acts only as a Facilitator in bringing together MSEs (the supplying units) and various buyers.

3. It is also further clarified that NSIC is not classified as 'Buyer' in terms of Section 15 & 16 of the MSMED Act 2006 for the purpose of interest on delayed payments. The PSUs or other Govt. Departments being beneficiary buyer of the goods or services are responsible for making payment of the goods or services supplied by MSEs and also for the interest on delayed payment to MSEs in terms of Section 15 & 16 of MSMED Act, 2006.

4. In this connection, this is to reiterate that wherever PSUs or Government Departments are not making the payments on time, the MSEs as an applicant (having Udyam Registration Number) may file claim in the MSE Facilitation Council to claim the interest on delayed payment against the beneficiary buyer. Therefore, NSIC being a Facilitator and supplier on behalf of MSEs, shall act as Co-Applicant of MSE Units for filing the interest claim along with MSE Units and not to be treated as a Buyer. The above may kindly be circulated to all Departments, PSUs pursuing MSME growth in your state.

Yours faithfully,

(Mercy Epao)

Joint Secretary to the Government of India
Tel. 011-23061543
Email: js.sme@nic.in

AAO(P)
29/6/23

Sh. Priyanka A.K.
21-6-23

2791/Procurement
27/06/2023

→ B. T. O →

Copy for information and necessary action to:

- 1) Secretaries to ~~Ministries/Departments of the Government of India~~, with a request to issue necessary instructions to their concerned Offices/CPSEs for compliance.
- 2) ~~Secretary Industries, State Governments/Union Territories.~~
- 3) Secretary, Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi with a request to issue suitable instructions to all Public Undertakings under Government of India.
- 4) Development Commissioner (MSME), Nirman Bhawan, New Delhi.
- 5) CMD, NSIC, Okhla Industrial Estate, New Delhi.