

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/WRIT PETITION (PIL) NO. 33 of 2021**

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M/S RENOVATE INDUSTRIES LLP  
Versus  
GOVERNMENT OF INDIA, MINISTRY OF MICRO, SMALL AND MEDIUM  
ENTERPRISES

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## Appearance:

MR MANISH S SHAH(5859) for the Applicant(s) No. 1  
DELETED for the Opponent(s) No. 3  
MR. PARTH H BHATT(6381) for the Opponent(s) No. 1  
NOTICE SERVED for the Opponent(s) No. 2

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CORAM: **HONOURABLE THE ACTING CHIEF JUSTICE MR.  
JUSTICE A.J.DESAI**  
and  
**HONOURABLE MR. JUSTICE BIREN VAISHNAV**

Date : 20/03/2023

**ORAL ORDER**

(PER : **HONOURABLE THE ACTING CHIEF JUSTICE MR. JUSTICE  
A.J.DESAI**)

1. By way of this Writ Petition (PIL) No. 33 of 2021, a petition in the nature of public interest, the petitioner has prayed to quash and set aside part of the Notification dated 26.06.2020, so far as it mandatorily demands Aadhaar Number from the business person, issued by Government of India, Ministry of Micro, Small and

Medium Enterprises and to direct the respondent authority to allow entrepreneurs/business persons to register their businesses with MSME Udyam Registration in absence of Aadhar Card.

2. It is the grievance of the petitioner that for registration under the Udyam Registration, Classification of MSMEs (Micro, Small and Medium Enterprises) and Procedure for Registration, the authority was compelling such persons who sought registration to provide Aadhar Card.

3. In response to notice issued by this court, the respondents have filed two affidavits, one is dated 29.08.2022 and the other dated 30.11.2022. As per paragraphs no. 5 & 6 of the affidavit dated 29.08.2022 filed by one Mr. Vikas Kumar Gupta, Joint Director & Head of Office at MSME - Development & Facilitation Office, Ahmedabad, there is no need to supply Aadhar, however registration can be provided by some other

mode. Paras 5 and 6 of the said affidavit read as under:

“5. I say and submit that the Aadhaar number is not used for registration purpose, but only for OTP based verification of the person or authorized person for filing online Udyam registration. The Aadhaar information is neither stored nor shared with anyone in the light of UIDAI provisions. I further submit that PAN is mandatory requirement for Udyam registration and for classification as micro, small and medium enterprises.

6. I further say and submit that in case of non-availability of Aadhaar Number of the proprietor or Authorized person of the enterprise, the District Industries Center (DIC) of the District concerned of States/Uts assists the enterprise to get them registered through ASSISTED FILING OPTION on the basis of some other relevant documents. In that case Aadhaar is not required even for verification of the person filing online Udyam Registration. MSME-DFOs can also assist the enterprise for their registration under Udyam Registration.”

4. In view of the aforesaid affidavit filed by the respondent, Mr. Manish Shah, learned advocate appearing for the petitioner does not press this petition. Petition is disposed of as not pressed. Notice is discharged.

(A.J.DESAI, ACJ)

(BIREN VAISHNAV, J)

DIVYA

