

	Department of Panchayats & Rural Development Govt. of West Bengal		<u>Controlled Copy</u>
DOCUMENT NO:	SOP 2 /P&RD		
SECTION TITLE:	PROCEDURE FOR SEEKING REGISTRATION OF LAWFUL RUNNING TRADES, WHOLE SALE OR RETAIL AND TRADES OF SPECIAL NATURE AND ISSUANCE REGISTRATION CERTIFICATE THEREOF		
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1.Purpose: Seeking registration of lawful running trades, whole sale or retail and trades of special nature in rural areas and issuance registration certificate thereof

2.Scope : Registration of lawful running trades ,whole sale or retail and trades of special nature in rural areas

3. Responsibility and Authority

- i) Additional District Magistrate looking after Panchayats
- ii) Sub-Divisional Officer of Sub-Division concerned
- iii) Executive Officer of Panchayat Samiti concerned
- iv) Joint Executive Officer of Panchayat Samiti concerned
- v) Pradhan of Gram Panchayat

4. References :

- i) West Bengal Panchayat Act, 1973
- ii) West Bengal Panchayat(Gram Panchayat Administration) Rules, 2004
- iii) West Bengal Panchayat(Panchayat Samiti Administration) Rules, 2008

5. Abbreviation :

- P&RD : Panchayats & Rural Development.
- E.O. : Executive Officer
- PS :Panchayat Samiti
- GP : Gram Panchayat
- MSME : Micro, Small and Medium Enterprise

Procedure:

6.1 Any person intending to make registration of a running trade, whole sale or retail (given in Table 1) within the jurisdiction of a GP, shall make an application in Form 10A before the Pradhan of Gram Panchayat concerned or through the web portal of the Department of Micro, Small and Medium Enterprises and Textiles, or the Department of Commerce and Industries, of the State Government by seeking renewal of registration by annually or three years together.

- 6.2 If a person intends to make registration of a trade of special nature as notified by the State Government (given in the Table 2) within the jurisdiction of Panchayat Samiti, shall make an application in Form 6 before the EO of Panchayat Samiti concerned or through the web portal of the Department of Micro, Small and Medium Enterprises and Textiles, or the Department of Commerce and Industries, of the State Government by seeking renewal of registration by annually or three years together.
- 6.2 For trade of special nature relating to storage of Kerosene, Petroleum, Naptha or any other inflammable oil or spirit applicant shall submit a declaration along with the application form to the effect that the provision of the Petroleum Act, 1934 in this regard will be complied with before commencement of the actual trade.
- 6.3 For trade of special nature related to burning or baking of bricks and tiles, applicant shall submit a declaration with the application form to the effect that he shall obtain the permit referred in West Bengal Land Reforms Manual, 1991 before commencement of the actual trade along.
- 6.4 Applicant has to pay the fees for such registration along with the application form in cash. If the applicant intends to register the trade for three years together, he has to pay prescribed annual fees for three years at a time. The maximum rate that can be levied by the Panchayat Samiti concerned is given in the Tables below :

TABLE -1

List of lawful running Trades for which Gram Panchayat issues Certificate of Registration along with the maximum rate of fees to be levied by Gram Panchayat

Sl No.	Nature of trade	Maximum fees to be levied per anum
(i)	Registration of trades not paying professional tax	Rs. 50.00 p.a.
(ii)	Registration of trades or agencies or contractors paying professional tax	Rs. 100.00 to Rs. 250.00
(iii)	Registration of small scale unit such as husking mill, saw mill, handloom or power loom, ice-factory, fishery, poultry, cattle-farming, sericulture, apiculture etc. (Capital Investment ranging from Rs. 25,000/- to less than Rs. 5,00,000/-)	Rs. 100.00 to Rs. 250.00 p.a.
(iv)	Registration of small scale unit such as husking mill, saw mill, handloom or power loom, ice-factory, fishery, poultry, cattle-farming, sericulture, apiculture etc. (Capital Investment exceeding Rs. 5,00,000/-)	Rs. 300.00 to Rs. 500.00 p.a.
(v)	Registration for video hall or cinema hall (Up to Rs. 5,00,000/-)	Rs. 250.00 p.a.
(vi)	Registration for video hall or cinema hall (Up to Rs. 10,00,000/-)	Rs. 500.00 p.a.
(vii)	Registration of telephone booth or cyber café or Xerox centres etc.	Rs. 150.00 p.a.

TABLE -2

List of Trades of special nature notified by the State Government for which Panchayat Samiti issues Certificate of Registration along with the maximum rate of fees to be levied by Panchayat Samitis

Sl No.	Nature of trade	Maximum fees to be levied per anum
(i)	lime manufacturing	Rs. 100.00
(ii)	storing for any commercial purpose as distinguished from domestic purpose or trading in, hay, straw, wood, thatching grass, jute or other quickly inflammable materials	Rs. 100.00
(iii)	cashew nut processing	Rs. 250.00
(iv)	baking & burning of tiles or pottery	Rs. 250.00
(v)	acid head batteries including lead plate casting and acid slurry (sulphonation), dry cell battery	Rs. 500.00
(vi)	basic drug and pharmaceutical products manufacturing	Rs. 500.00
(vii)	coke making, coal liquefaction, coal tar distillation processing, fuel gas making, coke briquette making, storing or trading in kerosene, coal and similar other incendiary commodities	Rs. 500.00
(viii)	slaughter houses and meat processing units, storing of hides, fish, horns or skins	Rs. 500.00
(ix)	boiling or storing offal, blood, bones or rags, melting tallow, tanning for the manufacture of leather or leather goods	Rs. 500.00
(x)	jute processing and dyeing	Rs. 500.00
(xi)	tyres and tubes vulcanization, retreading, molding	Rs. 500.00
(xii)	cement grinding	Rs. 500.00
(xiii)	distillery including fermentation industry	Rs. 1000.00
(xiv)	pulp and paper manufacturing or processing	Rs. 1000.00
(xv)	stone crushing	Rs. 1000.00
(xvi)	synthetic detergent and soap making	Rs. 1000.00
(xvii)	brick field, burning of bricks,	Rs. 1000.00
(xviii)	vegetable oil and edible oil including solvent extracted oil or hydrogenated oil production unit	Rs. 1000.00
(xix)	chilling plant, cold storage, Ice making and Ice-cream making	Rs. 1000.00
(xx)	husking mill, rice mill, saw mill	Rs. 1000.00
(xxi)	any other manufacturing or processing business from which offensive or unwholesome smell or offensive noise arises	Rs. 1000.00
(xxii)	storing or trading in petroleum, naphtha or any other inflammable oil or spirit	Rs. 1500.00

6.5 On receipt of the application Gram Panchayat or Panchayat Samiti concerned shall check the completeness of the application and issue an acknowledgement to the applicant in Form I of the WB Right to Public Services Rules, 2013 by noting down the date within which the service shall be provided and defect in the application, if any.

Thereafter, Gram Panchayat shall issue certificate of registration for lawful running trades wholesale or retail in Form No. 11 after being satisfied with the genuineness of the application. Gram Panchayat may also make a preliminary enquiry by visiting the place of the running trade etc. for the purpose.

Panchayat Samiti shall issue certificate of registration for trades of special nature in Form No. 6B after being satisfied with the genuineness of the application. Panchayat Samiti may make a preliminary enquiry for the purpose. The Panchayat Samiti may also make necessary enquiry particularly before commencement of the actual trades as to whether the statutory clearances that need to be taken before commencement of the actual trades, has actually been obtained by the applicant or not.

7. Stipulated time period for providing services under the West Bengal Right to Public Services Act, 2013:

The Pradhan of GP or the Executive Officer of PS concerned shall issue certificate of registration for running lawful trades or certificate of registration for trades of special nature within 15 days from the date of receipt of the application at the office of GP or PS.

If the certificate of registration is not issued within the stipulated time period mentioned above, the applicant may prefer an appeal before Appellate Authority as notified in Notification No.722/SS/PN/O/I/4P-3/2013 dated 30.09.2015 of P&RD Department in Form II of the WB Right to Public Services Rules, 2013.

If the Appellate Authority fails to dispose the appeal within the time period as notified in Notification No.722/SS/PN/O/I/4P-3/2013 dated 30.09.2015 of P&RD Department, the applicant may also appeal before the reviewing officer in Form III of the WB Right to Public Services Rules, 2013 as notified in the said Notification No.
