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|  | Government of West Bengal Department of Panchayats & Rural Development | <u>Controlled Copy</u> | |
| DOCUMENT NO: | SOP 1 /P&RD | | |
| SECTION TITLE: | PROCEDURE FOR SEEKING REGISTRATION OF LAWFUL RUNNING TRADES, WHOLE SALE OR RETAIL IN PANCHAYAT AREAS AND ISSUANCE REGISTRATION CERTIFICATE THEREOF AND ITS RENEWAL | | |
| SECTION NO: | REVISION DATE | PAGE | ISSUE DATE |
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1. **Purpose:** Seeking registration of lawful running trades, whole sale or retail in Panchayat areas and issuance registration certificate thereof

2. **Scope:** Registration of lawful running trades, whole sale or retail in Panchayat areas

3. Responsibility and Authority:

(i) Responsibility for issuance of Certificate of Registration of lawful running trades, whole sale or retail in Panchayat areas lies on Pradhan of the Gram Panchayat concerned.

(ii) The following Officers act as Reviewing Officer and Appellate Officer under the West Bengal Right to Public Services Act, 2013 if the Designated Officer fails to provide services within the stipulated time period:

(a) Executive Officer of the Panchayat Samiti concerned (b) Joint Executive Officer of the Panchayat Samiti concerned

4. **References:** (i) The West Bengal Panchayat Act, 1973

(ii) The West Bengal Panchayat (Gram Panchayat Administration) Rules, 2004

5. **Abbreviation :** (i) P&RD : Panchayats & Rural Development

(ii) E.O. : Executive Officer

(iii) PS : Panchayat Samiti

(iv) WB : West Bengal

6. Procedure:

(i) Any person intending to make registration of a lawful running trade, whole sale or retail or make renewal of the existing registration (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 P&RD Department <https://gpms.wbprd.gov.in> by seeking registration of a running lawful trade, whole sale or retail or renewal of such registration by annually or three years at a time. In case of online registration the applicant have to fill up the application form completely, upload requisite documents. After agreeing with the Terms and Condition for such registration the applicant will be able to get a 15 digit Application Id after submitting the application.

(ii) Documents to be attached/uploaded with the application:

(a) For new registration (a) Copy of Voter ID Card of the applicant (b) Copy of AADHAR Card of the applicant (c) Copy of Lease Deed/ Legal Occupancy document/Copy of the agreement made with the landlord (when the trade is running/will be run in a permanent structure) or a self-declaration of the applicant to the effect that the applicant will run/is running the trade other than in a permanent structure (when the trade is running/will be run other than in a permanent structure or by moving from one place to other within the GP) (d) Copy of the statutory clearances/ license taken from the competent authority (whenever applicable). If the applicant has not received the statutory clearances/ license from the competent authority at the time of application then a copy of the application made to the competent authority seeking statutory license or clearances is to be attached.

(b) For renewal of the existing registration: (a) Copy of the certificate of registration issued to the applicant by the GP (b) Copy of the statutory clearances/ license taken from the competent authority (whenever applicable) (c) Copy of Lease Deed/ Legal Occupancy document/Copy of the agreement made with the landlord (if the place of running the trade has been changed)(d) Declaration of the applicant to the effect that he is running the same trade as mentioned in the certificate of registration issued by the GP.

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 |
|---------------|--|
| (i) | Registration of trades not paying professional tax |
| (ii) | Registration of trades or agencies or contractors paying professional tax |
| (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/-) |
| (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/-) |
| (v) | Registration for video hall or cinema hall (Up to Rs. 5,00,000/-) |
| (vi) | Registration for video hall or cinema hall (Up to Rs. 10,00,000/-) |
| (vii) | Registration of telephone booth or cyber café or Xerox centres etc. |

(iii) (a) On receipt of the application, the GP concerned shall check the completeness of the application. The GP may also make a preliminary enquiry for the purpose.

(b) Being satisfied with the genuineness and completeness of the application, the GP, within 5 days of the date of receipt of the application, intimate the applicant about completeness of his application and also the amount of payment to be made for the purpose in accordance with the rate mentioned in the Bye Law adopted by the GP subject to the maximum rate of fees which

can be levied by the GP as mentioned in the West Bengal Panchayat (Gram Panchayat Administration) Rules, 2004.

(c) The GP shall also 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 after payment of fees is made by the applicant.

(d) The applicant will get the intimation regarding completeness of his application as well as the amount payable for the purpose through an SMS in his registered mobile No. . The applicant may also check the status of his application as well as information regarding amount payable for the purpose in the web portal by using the 15 digit Application Id already received by him during submission of his application.

(e) In case of insufficient document or incomplete filling up of the application format, the application will be rejected by the GP and it shall intimate the applicant about such rejection by mentioning the reason behind such rejection.

(f) In case of rejection of the application, the applicant will also get an intimation regarding such rejection through SMS or the applicant may also get the information by checking the status of his application in the manner mentioned in the above para. In that case, the applicant will have to submit the application form along with other requisite documents afresh. He can import the data filled up by him in the earlier application form to new application form by choosing import option.

(iv) Payment of fees: On receipt of the intimation regarding payment of fees to be made for the purpose from the GP concerned in accordance with the rate mentioned in the Bye Law adopted by the GP subject to the maximum rate of fees which can be levied by the GP as mentioned in the West Bengal Panchayat (Gram Panchayat Administration) Rules, 2004, the applicant may choose any one of the payment gateways for making online payment and shall pay the exact amount within 3 days of such intimation.

(v) Issuance of Certificate of Registration: The Gram Panchayat on receipt of the payment made by the applicant, shall issue Certificate of Registration for lawful running trades wholesale or retail in Form No. 11 by noting down the Miscellaneous Receipt No. for such payment on the Certificate. The applicant will get an intimation regarding issuance of the Certificate of Registration through SMS and can download the Certificate of Registration from web portal by using Application Id already received by him during submission of his application.

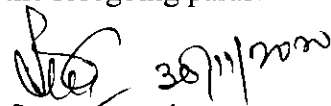
8. Stipulated time period for providing services under the West Bengal Right to Public Services Act, 2013:

The Pradhan of GP concerned shall have to issue certificate of registration for running lawful trades within 15 days from the date of depositing fees by the applicant. If the application is incomplete in any respect, the application shall be rejected by the GP and the same shall be intimated to the applicant within 15 days from the date of receipt of the application stating reason behind such rejection.

If the certificate of registration is not issued within the stipulated time period mentioned above or in case of rejection of the application by the Gram panchayat concerned, the applicant may prefer an appeal before Appellate Authority as notified in Notification No. 3978/PN/O/I/4P-3/2013 dated 25/11/2020 of the P&RD Department i.e. the Joint E.O. of the PS concerned in Form II of the WB Right to Public Services Rules, 2013 within the stipulated time period mentioned in the Notification.

If the Appellate Authority fails to dispose the appeal within the time period as notified in the above-mentioned Notification of the P&RD Department, the applicant may also prefer an appeal before the reviewing officer in Form III of the WB Right to Public Services Rules, 2013 within the stipulated time period mentioned in the Notification. The decision of the Reviewing Authority will be final.

9. Renewal of the Certificate of Registration: The applicant will get an intimation through SMS in his registered mobile No. before 20 days of the expiry of the certificate of registration as to the date of expiry of the registration certificate as well as the amount to be paid for renewal if the applicant likes to get the certificate renewed for further period. The applicant may apply for renewal of his certificate by clicking the checkbox of renewal, by putting the certificate No., by uploading the required document as given in para 6(ii)(b) and by making necessary payment of fees in the manner as elaborated in the foregoing paras. The GP will follow the same procedure for issuance of certificate as elaborated in the foregoing paras.

Handwritten signature and date: 30/11/2020

Special Secretary to the
Government of West Bengal
Panchayats & Rural Development Department