

Government of West Bengal
Department of Panchayats & Rural Development
Joint Administrative Building (6th to 9th Floors) HC-07, Sector III
Bidhannagar, Kolkata – 700 106

No.439/SS/PN/O/I/3R-6/2004(Pt.-II)

Dated: 11.06.2015

NOTIFICATION

Whereas, in terms of the provision of rule 57 to 63 of the West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008, a Panchayat Samiti shall grant license for running a dangerous and offensive trade within its jurisdiction following the procedure mentioned therein;

And whereas, the State Government in its 'ease of doing business initiatives' had been contemplating to simplify the procedures in issuing/granting various certificates/licenses by different Government Departments/local authorities;

Now, therefore, in exercise of the power conferred under section 212 of the West Bengal Panchayat Act, 1973, the Governor, after careful consideration and in supersession of the Order No.1154/PN/O/I/2M-4/03(Pt.-I) dated 27/03/2015, is hereby pleased to issue the following instructions :

- (1) Henceforth, any 'dangerous and offensive trade' as mentioned in rules 57 to 63 of the West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008 shall be called a 'trade of special nature'.
- (2) A Panchayat Samiti shall henceforth issue 'certificate of registration' for a 'trade of special nature' instead of 'license' for 'dangerous and offensive trade' as mentioned in rules 57 to 63 of the West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008.
- (3) An application for the purpose shall be submitted to the office of the Panchayat Samiti concerned or through the web portal of the Department of Micro, Small and Medium Enterprises & Textiles or the Department of Commerce & Industries of the State Government in the modified Form No.6 annexed herewith.
- (4) A Panchayat Samiti shall renew the certificate of registration for a trade of special nature as specified by the State Government on the basis of the application submitted by the applicant in modified Form No.6A and the renewal may be made annually or for three years at a time on realization of the prescribed annual fees for three years at a time.
- (5) A Panchayat Samiti shall issue certificate of registration for a trade of special nature in the modified Form No.6B annexed herewith.

- (6) A certificate of registration for a trade of special nature relating to Kerosene, Petroleum, Naptha or any other inflammable oil or spirit and burning or baking of bricks and tiles shall be issued by a Panchayat Samiti if the applicant submits a declaration to the effect that statutory clearances as required in rule 58 of the West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008, will be obtained by him before commencement of the actual trade and there shall be no need of causing enquiry into the matter by an officer prior to granting any such certificate of registration as required in sub-rule (2) of rule 58 of the said Rules.
- (7) A Panchayat Samiti shall issue certificate of registration for a trade of special nature within 15 (fifteen) days from the date of receipt of the application, which must be complete in all respects.
- (8) The other formalities to be maintained while issuing the certificate of registration for a trade of special nature as enshrined in rule 57, 58, 59, 60, 61, 62 and 63 of the West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008 shall remain unchanged.

By order of the Governor,



OSD & EO Special Secretary to the
Government of West Bengal

No.439/1(58)/SS/PN/O/I/3R-6/2004(Pt.-II)

Dated: 11.06.2015

Copy forwarded for information and necessary action to:

- (1) The Commissioner, Panchayats & Rural Development, West Bengal, Jessop Building, 63 N.S Road, Kolkata-700001
- (2) The District Magistrate & Executive OfficerZilla Parishad (All)
- (3) The Additional Executive Officer,Zilla Parishad (All)/ Mahakuma Parishad
- (4) The District Panchayats & Rural Development Officer,(All)

He is requested to communicate the copy of this order to all Panchayat Samitis and Gram Panchayats within the district.



OSD & EO Special Secretary to the
Government of West Bengal

FORM 6
[see rule 57]

Application for certificate of registration for trade of special nature

To
The Executive Officer
..... Panchayat Samiti
District

I hereby apply for licence for use of the place covered by plot / plots
no(s)..... of mouza,
J.L.No.

..... under Police Station..... in the
district ofboundaries of which are given below for
carrying on the trade or business ofwhich
has been declared by the State Government as trade of special nature. If it is decided
by the authority to grant for the current year /for the next three years at a time the
certificate of registration applied for, I shall be bound to deposit the prescribed fee
for such registration and strictly observe the conditions of the certificate of
registration, on default of which the certificate of registration shall be liable to be
cancelled on prior notice of one clear month when I shall be bound to close down the
said trade or business with immediate effect. I shall also be bound to apply for
renewal of such certificate of registration for the next financial year/ for next three
financial years at a time for carrying out the same trade or business at the same place
under the same terms and conditions.

Boundaries :

East -

West -

North -

South -

Signature with date.....

Name in Block letters

Address

Date

FORM 6A

[see rule 61]

Application for renewal of certificate of registration for trade of special nature

To

The Executive Officer

..... Panchayat Samiti

District

I hereby apply for renewal of Registration Certificate.....issued on.....(date) in my favour for next financial year/ for next three financial years at a time for carrying on the trade or business of.....at the same place *with change of boundaries as shown below. I also declare hereby that if it is decided to renew the certificate of registration, I shall deposit the requisite amount of the fee at the prescribed rate and shall abide by the terms and conditions set forth in the certificate of registration issued earlier.

Boundaries (Need not be filled if there is no change):

East -

West -

North -

South -

Signature

Name in Block letters

Address

Date

*Please delete if there is no change.

FORM 6B

[see rule 61]

Form of certificate of registration for trade of special nature

Name of Panchayat Samiti.....

Name of District.....

Registration No.....(Year) Date.....

Certificate of registration issued to (Name of the Proprietor/Partner/Director)

.....
.....

for the period of

Address of the applicant.....

Description of trade or business.....

.....

Boundaries of the place of trade or business

East -

West-

North-

South-

Comprising Plot No (s).

Mouza.....

J.L No.....

The terms and conditions printed overleaf are to be strictly observed. Grant of this certificate for registration does not absolve the applicant from the requirement of procuring all the statutory clearances to be obtained from the appropriate authority before actual commencement of the trade. If any violation/default is noted later, the registration shall be liable to be cancelled and the trade/business closed down with immediate effect.

The Panchayat Samiti acknowledges a sum of Rs.....(in words.....

.....) only from M/S.....

Vide Receipt No.....dated.....

Signature of the Cashier/Accounts Clerk.....Panchayat Samiti

Date:

Signature of the Executive Officer / Jt. Executive Officer of.....
Panchayat Samiti

Date:

Certificate of registration renewed under the same terms and conditions (with change of boundaries as noted above) on receipt of requisite annual rate of fee for the year / for three years at a time

Year/Years

- (1)
- (2)
- (3)

Signature of the Executive Officer / Jt. Executive Officer with date

.....

Conditions for registration of trade of special nature -

The applicant shall abide by the following terms and conditions: -

- (i) for running of trade relating to or dealing with kerosene, petroleum or naphtha or any other inflammable oil or spirit, the provision of the Petroleum Act, 1934 shall strictly be complied with.
- (ii) for running of trade connected with the burning or baking of bricks or tiles, the permit referred to in the West Bengal Land & Land Reforms Manual, 1991, shall be obtained.
- (iii) the place may be inspected at any reasonable hour of any day by the *Sabhapati* or *Sahakari Sabhapati* of the *Panchayat Samiti*, *Karmadhyaksha* of *Janaswastha O Paribesh Sthayee Samiti*, Executive Officer of the Panchayat Samiti or any other authorised officer, not below the rank of an Extension Officer;
- (iv) manufacturing, processing or any other work carried on under the registration in the specified premises shall be maintained in such a manner so as not to cause any injury, danger, annoyance or offence to the sense of sight, smell or hearing of persons residing in the neighbourhood;
- (v) the certificate of registration shall relate only to such trade or business as is specified in it;
- (vi) the certificate of registration shall relate only to such place as is specified in it
- (vii) there shall be satisfactory arrangement for drainage of waste water and effluents, disposal of solid wastes and control of gaseous emissions to prevent nuisance in the place and its neighbourhood;

- (viii) the registration shall be liable to be cancelled in the event of contravention of any of the condition laid down in clause (i) to (vii) or on any other ground as may be considered important by the Panchayat Samiti on service of prior notice of one clear month when the applicant shall be bound to close down such trade or business with immediate effect;
- (ix) the registration is subject to renewal on payment of requisite fee for every financial year/ three years at a time and the authority reserves the right of withholding such renewal on such ground or grounds as may be intimated to the applicant.”

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