

Government of West Bengal
Department of Urban Development and Municipal Affairs
(Municipal Affairs Branch)
NAGARAYAN, 6th Floor,
DF – 8, Sector – I, Salt Lake, Kolkata – 700 064

ORDER

NO. 847/MA/O/C-4/3R-4/2015

Dated, the 5th day of September, 2019

In exercise of the power conferred by sub-section (2) of Section 199 of the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) the Governor is pleased hereby to make the following Guidelines in relation to enlistment of profession, trade and calling in the Kolkata Municipal Corporation in supersession of this Department earlier Order No. 606/MA/O/C-4/3R-4/2015 dated, Kolkata, the 3rd day of September, 2015 (hereinafter referred to as the said Guidelines):-

Guidelines

1. Short title, Commencement and application. (1) These guidelines may be called the Guidelines for enlistment of Profession, Trade and Calling in the Kolkata Municipal Corporation areas.

(2) They shall come into force on and from the date of final publication in the *Official Gazette*, and shall be applicable for the Kolkata Municipal Corporation areas at once.

2. Definitions. (1) In these guidelines, -

- (a) "Act" means the Kolkata Municipal Corporation Act, 1980 ;
- (b) "Certificate" means a Certificate of Enlistment for Profession, Trade and Calling ;
- (c) "clause" means a clause of this guidelines;
- (d) "Schedule" means Schedule in the Kolkata Municipal Corporation Act, 1980

(2) The words and expressions used in these guidelines, but not defined, shall have the same meaning as in the Act.

3. Submission of application for the Certificate of Enlistment.

(1) Every person engaged or intending to be engaged in any profession, trade or calling, in Kolkata, as categorized in Schedule IV read with Budget Schedule of Licence Department so passed by Corporation in its Budget Meeting on each financial year, either by himself or by any authorized agent or representative, shall apply, for a Certificate of Enlistment for a period of one *financial* year to the Municipal Commissioner of the Corporation, or in his absence to the officer authorized in this behalf, alongwith the documents mentioned in clause 4 and also with such fees as specified in Budget Schedule of Licence Department so passed by Corporation in its Budget Meeting.

4. **Documents required for submission of application for the Certificate.** - (1) For submission of an application under clause 3, the following documents shall be required to be submitted for all trades:

Documents required for Certificate of Enlistment

(to be posted in KMC website: <https://www.kmcgov.in>.)

General Documents (All copies self attested):

- A. Application form duly filled up
- B. Self Declaration in prescribed format
- C. Occupancy proof of business address (e.g. property tax bill / property tax receipt / Rent receipt / Conveyance deeds / lease deed / sub lease deeds / leave & licence agreement / NOC rent free alongwith current CE of NOC issuer and occupancy of NOC issuer / electricity bill / telephone bill / telephone bill / EPIC/ AADHAAR / DRIVING LICENCE issued in favour of CE applicant as applicable)
- D. Partnership Deeds in case of Partnership Firms
- E. ROC Certificates/ documents in case of Company/ Limited Liability Partnership (LLP).
- F. Any other documents (except statutory permissions) as notified in KMC website: <https://www.kmcgov.in>.)
- G. Any Photo ID issued by Govt. (EPIC/ PAN/ AADHAAR / DRIVING LICENCE etc.) as ID proof and as proof of residence.

Statutory Documents: -

(A) For trades like Stock Broker/Trader, Import-Export, Customs, Financial Institutions, Explosives etc. related to clearances/license from the appropriate Authority as per law will have to produce permission from RBI/ SEBI/ Central Govt. Authorities for obtaining Certificate of Enlistment.

(B) For trades related to State Excise (Liquor), submission of Excise department approval/ previous year excise certificate and current year excise money receipt as per present norms.

For Arms related trades present norms will continue and permission from Home (Police) Department will be a prior requirement.

However, to facilitate traders and to certify existence of offices of such firms/ companies as in A and B above, one CE with nature of trade 'office- Accounts &

Administration' may be issued prior to obtaining such statutory certificates. Such office CE may later be amended/ changed accordingly with exact nature of trade as per norms after the trader produces the statutory permission. Companies registered with Registrar of Companies will have to obtain registered office CE first as office of Accounts and Administration and thereafter are liable to take separate CEs for separate trades carried out upon payment of fees as mentioned in Budget Schedule of Fees and charges.

(C) For trades where other statutory clearances like Fire license /Fire No objection Certificates of Pollution Control Board Certificate/Clinical or Health Certificates are required to be obtained by traders, production of such certificates is not required prior to and/or at the time of issuance/renewal of Certificate of Enlistment of such trades.

Provided further that such enlistment or renewal thereof shall not absolve such person/trader from any liability to take out any license under this Act or any other law for the time being in force.

(D) No Certificate of Enlistment against any trade shall be issued and/ or renewed in dangerous, ruinous, hazardous buildings as notified by Building Department, KMC and wherein the said notice has been communicated to Licence department, KMC, such. Certificate of Enlistment shall be kept withheld until building is declared safe and such notification is withdrawn and communicated to Licence Department by Building department, KMC.

5. Issue of Certificate. - (1) The Municipal Commissioner of the Corporation, or in his absence, the officer of the Corporation authorized in this behalf, after examining the application, specified in clause 3 or Clause 7, shall, within 30 days from the date of receipt of the application, issue a Certificate of Enlistment, as the case may be, to the applicant concerned or reject the application, if it is not in order.

(2) *In the case of rejection of any application the Municipal Authority shall communicate the applicant the reason of such rejection within 7 (seven) days of such rejection.*

(3) Certificate of Enlistment may be issued / renewed on trade specific manner as per Budget Schedule of Licence Department for a period of one (01) financial year on payment of full requisite fees as per Budget Schedule of Licence Department.

(4) If not renewed, in due time, then the Certificate of Enlistment will be deemed to be lapsed / expired and may be renewed upon application with any Govt. photo ID..

(5) However, Certificates of Enlistment to be issued for letting out of Ceremonial Houses will be guided by the provisions stated in the Kolkata Municipal Corporation (Control, Restraint and Levy

of Fees and Charges upon premises permitted to let out for holding Ceremonial Functions) Regulations, 2003.

6. Validity and renewal of the certificate. -

(1) The Certificate of Enlistment issued under clause 5 shall remain valid for a period of one *financial* year.

(2) On or before completion of the validity, the Certificate shall be renewed by the holder of the Certificate, and the fees and procedure as specified in clauses 3 & 4 shall be followed, *mutatis mutandis*, for this purpose.

7. Modalities for making online applications for Enlistment of Profession, Trade and Calling.

Notwithstanding anything contained in this guidelines, the issue relates to applying for enlistment and modalities for issuance of Certificate of Enlistment may also be guided by the following provisions:

(1) Applications for Certificate of Enlistment may be made online through www.myenterprisewb.in for Micro, Small and Medium Enterprises & Textile industries, and www.wbidcl.com (Silpa Sathi) for large industries.

All other categories of trades/business not falling under the category of MSME, Textile and large Industries may directly apply to KMC website: <https://www.kmcgov.in> on usual manner.

(2) Within 30 (thirty) days from the date of receipt of any application, received through the web portals, mentioned in point (1), from the Micro, Small and Medium Enterprise Facilitation Centre (MFC) or Silpa Sathi, the Corporation shall issue Certificate of Enlistment, as the case may be, except for trades/ businesses specifically prohibited like chit fund, hazardous industries etc. as notified by the Government from time to time, and shall communicate their approval to the respective Micro, Small and Medium Enterprise Facilitation Centre (MFC) or Silpa Sathi, as the case may be and the Certificate of Enlistment, shall be physically collected by the applicant from the Corporation after depositing the requisite fees.

By Order of the Governor,
Sd/- S. Das
Joint Secretary to the
Government of West Bengal

NO. 847/1(6)/MA/O/C-4/3R-4/2015

Dated, the 5th day of September, 2019

Copy forwarded for information and necessary action to the:

1. Municipal Commissioner, Kolkata Municipal Corporation, 5, S.N. Banerjee Road, Kol – 13.
2. Director, State Urban Development Agency.
3. P.S. to Hon'ble Minister-in-Charge of this Department.
4. Sr. P.A. to Principal Secretary of this Department.
5. P.A. to Mayor, Kolkata Municipal Corporation.
6. Guard File of Law and Statutory Wings of this Department.

In
5/9/19
Joint Secretary