

RULES AND REGULATIONS GOVERNING THE LICENSING OF COBBLERS IN CHANDIGRAH

State / union territory: Chandigarh

Details of licensing are as follows:

Cobblers are regulated by the Municipal Corporation of Chandigarh as per the provisions provided in the section 343 of the Punjab Municipal Corporation law (Extension to Chandigarh) Act, 1994.

The procedures for cobblers are same as that of dhaba's except the license fees. Part I of the schedule annexed to the act which was framed under the Section 343 (1)" of Punjab M.C. Act proves that cobblers needs a license. One has to get a license from the Municipal Corporation of Chandigarh as per the U/S 343 of Punjab Municipal Corporation Act 1976. As per the section 343, No person shall use or permit to be used any premises for any of the following purposes without or otherwise than in conformity with the terms of a license granted by the Commissioner. The list of the purposes listed in the Act includes:

1. any of the purposes specified in Part I of the second Schedule;
2. any purpose which is, in the opinion of the Commissioner (dangerous to life, health or property or likely to create a nuisance;
3. keeping horses, cattle or other quadruped animals or birds for transportation, sale or hire or for sale of the produce thereof; or
4. storing any of the articles specified in Part II of the second Schedule except for domestic use of any of those articles :

Provided that the Corporation may declare that premises in which the aggregate quantity of articles stored for sale does not exceed such quantity as may be prescribed by bye-laws in respect of any such articles shall be exempted from the operation of clause (d).

The act also says that the corporation can fix a scale of fees to be paid in respect of premises licensed under sub-section (1) and that fee shall not exceed such amount, as may be fixed by the Government from time to time.

As per section 346, No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner can hawk or expose for sale in any place any article. This can be for human consumption or not.

As per section 332, no person shall, without the general or special permission in writing of the Commissioner, sell or expose for sale any animal or article in any municipal market. Any person contravening the provisions of sub-section (1), and any animal or article exposed for sale by such person, may be summarily removed from the market by or under the orders of the Commissioner or any officer or employee of the Corporation authorized by the Commissioner.

As per section 337, No animal or article shall be sold or exposed for sale within a distance of one hundred yards of any municipal market or licensed private market without the permission of the Commissioner. Any person contravening the provision of sub-section (1) and any animal or article exposed for sale by such person may be summarily removed by or under the orders of the Commissioner or any officer or employee of the Corporation appointed by him in this behalf. So cobblers need a license to operate in Chandigrah.

Licensing Procedure:

As per the Punjab Municipal corporation Law (Extension to Chandigrah) ordinance, 1911 and the further amendment in 1994, the rules and regulations of Chandigrah is as per the Punjab Municipal Corporation Act 1976. So Chandigrah is following the same procedures for licensing as some where else in Punjab.

The person has to apply in the prescribed form costing around Rs.10.and the person will have to get the NO-Objection certificate from neighbors as well as Municipal Town Planners and other departments in regard to Fire Brigade, House tax and Water Supply and Sewerage.

Licenses are issued under Section 343 of Punjab Municipal Corporation Act 1976.The procedures for cobblers are same as that of dhaba's except the license fees. Part I of Section 343 (1)" of Punjab Municipal Corporation Act says that the cobblers can be a person works alone manually.

Licensing Procedure:

In Chandigrah licenses are issued Under Section 343 of Punjab Municipal Corporation Act 1976. As per the information provided by the Municipal Corporation, Cobblers have exactly the same procedures of dhaba except the fees. For a license the person has to apply in the prescribed form costing around Rs.10/- and the person will have to get the NO-Objection certificate from neighbors as well as Municipal Town Planning, Fire Brigade, House tax and Water Supply and sewerage departments.

No Objection certificates:

No Objection Certificate from M.T.P (Municipal Town Planning):

Generally for a commercial establishment, a building plan is required to be sanctioned from Municipal Corporation and before occupation and to start commercial business, a completion certificate as per u/s 272(2) of Punjab Municipal Corporation Act 1976 is required. But for cobblers, Building plan and site inspection is not needed for getting a No Objection Certificate from Municipal town Planning Department.

Before issuing the NO-Objection certificate the following documents must be submitted:

1. Sale deed in support of the ownership
2. Before issuing N.O.C. Rs.1000/-as the prescribed fee is realized

No Objection Certificate from House tax:

Nothing due Certificate to certify that the applicant have no house tax standing unpaid on the property is required. This copy will be sent to the applicant too. After that process, the department will check the records and N.O.C will be given accordingly.

No Objection certificate from Water Supply and Sewage Department:

All the consumers who have the approved connection of water and sewage can get the No Objection Certificate by simply applying on a paper in application and attached copy of water and sewage bill at any time. No charges are taken from the applicant by the department for issuing it. Before issuing the certificate, the account is checked by the assistant engineer/field staff at the zonal office. On the basis of documents, No –Objection Certificate is issued.

Documents Required:

1. Filled form
2. No Objection Certificate from neighbors, Municipal Town Planners, Fire Brigade, House Tax and Water Supply and Sewage Department.

Verification:

The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbours.

License Fees:

As per the section 338 of the Punjab Municipal Corporation Act 1976, the Commissioner, with the previous approval of the Corporation, may charge such stallages, rents or fees as may from time to time be fixed by him for the occupation or use of any stall, shop, stand, shed or pen in a municipal market and for the right to expose articles for sale in a municipal market.

Act says that a copy of the table of stall ages, rents and fees, if any chargeable in any municipal market and of the bye-laws made under the Act for the purpose of regulating the use of such market or slaughter-house printed in such language or languages as the Commissioner may direct, shall be affixed in some conspicuous place in the market or slaughter-house.

As per section 343, the Corporation shall fix a scale of fees to be paid in respect of premises licensed. Provided that no such fee shall exceed such amount, as may be fixed by the Government from time to time

Fees Remittance:

The fees remittance can be done in the license department itself.

Issue of License:

The License will be issued after the submission of documents and after completing the formalities from the license inspector, reports from Municipal town planners and fire brigade

License Duration:

One year.

License Renewal:

The person has to submit the filled form and has to produce the previous license receipt. The fees are equal to new license. But in the month of March, it will be 10% less, and from April to June, it will be 25% and July to September 50% and from October 100% penalty will be charged. The applicant does not have to submit again the No-Objection Certificate. Persons who get licenses renewed before 30th March shall be allowed rebate of 10% in license fee.

Other Formalities:

1. The license is to be checked by the staff of licensing department.
2. Blank copy of license can not be provided .It will be provided only after adopting the Rules and Regulations of the Municipal Corporation.
3. After the issue of license, there is no need to visit the physical verification or checking the premises after the issue of license.
4. No further checking will be there after the issue of license.

Penalty:

Licenses must be obtained before or on 30th April of every year. In case of failure penalty shall be recovered as under:-

Period	Month	Fine a amount
Up to	30 th June	25%
Up to	30 th September	50%
From	1 st October onwards.	100 %