

GOVERNMENT OF WEST BENGAL  
DEPARTMENT OF URBAN DEVELOPMENT AND MUNICIPAL AFFAIRS  
(MUNICIPAL AFFAIRS BRANCH)  
DF-8, SECTOR-I, SALT LAKE, KOLKATA-700 064

ORDER

No. 725/MA/O/C-4/3R-4/2015

Dated, Kolkata, the 28<sup>th</sup> day of August, 2020

WHEREAS for the purposes of urgent implementation of the Ease of Doing Business (hereinafter referred to as EODB) and in the wake of COVID-19 pandemic due to spread of Novel Corona virus and in view of various orders issued from time to time under the Epidemic Diseases Act, 1897 (3 of 1897) and the Disaster Management Act, 2005 (53 of 2005), the Governor has been pleased to issue the following directions in the form of Guidelines in supersession of all previous Guidelines issued by the State Government vide order no. 605/MA/O/C-4/3R-4/2015, dated the 2<sup>nd</sup> day of July, 2020 read with Addendum Order No. 640/MA/O/C-4/3R-4/2015, dated the 13<sup>th</sup> day of July, 2020 :—

*Guidelines*

**1. Short title, commencement and application.**— (1) These guidelines may be called the Kolkata Municipal Corporation (Enlistment of Profession, Trade and Calling) Guidelines 2020,

(2) They shall come into force at once,

**2. Definitions.**— (1) In these guidelines,—

- (a) "Act" means the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980);
- (b) "Budget Schedule" means Budget Schedule of Licence Department of Kolkata Municipal Corporation so passed by the Corporation in its Budget Meeting on each financial year under sub-section (3) of section 131;
- (c) "Certificate" means a Certificate of Enlistment under section 199 of the Act;
- (d) "Clause" means a clause of these guidelines;
- (e) "Commissioner" means the Municipal Commissioner of the Kolkata Municipal Corporation;
- (f) "Corporation" means the Kolkata Municipal Corporation;
- (g) "Schedule" means the Schedule in the Act;
- (h) "Section" means a section of the Act;

(i) Financial Year means the 12 (twelve) months from 1st day of April of a particular calendar year to 31<sup>st</sup> day of March of the subsequent calendar year.

(2) 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 (also referred in abbreviated form as 'CE'):** Every person engaged or intending to be engaged in any profession, trade or calling, in Kolkata, as categorized in Schedule IV, either by himself or by any authorized agent or representative, shall apply, for a Certificate for a period of one financial year or for such multiple financial years as specified in this 'Guidelines', on payment of yearly fee as specified in the current budget schedule if the certificate is prayed for one financial year or consolidated fees (i.e., yearly fee as specified in the budget schedule x number of financial years for which certificate is prayed for) for such multiple financial years.

Application shall be made through KMC portal online along with the documents mentioned in clause 4 and also with such fees as specified in the Budget Schedule.

However, those who are not comfortable with online system may apply to the Commissioner or in his absence to the official authorized in this behalf by submitting applications & documents in hard forms (Offline mode).

**4. Documents required for submission of application for the Certificate (to be posted in the Corporation's web portal <https://www.kmcgov.in>):-**

(a) For submission of online application under clause 3, the following documents shall be submitted/ uploaded as attachments for all professions, trades & callings along with system based integrated online application cum self-declaration containing all particulars of **Annexure I & II** :—

Only 2 (two) documents are required to be submitted (All copies shall be self-attested):-

(i) **Identity proof document** : Any Photo Identity Document (EPIC/ AADHAAR/ DRIVING LICENCE /PASSPORT etc.) issued by any government authority as Identity proof as well as residential proof of the applicant.

(ii) **Proof of ownership/occupancy**: Any one of the following documents as occupancy proof of business address: - Property tax bill/ Property tax receipt/ Deed of Conveyance /



Lease deed / Sublease deeds / Leave and licence agreement / Rent receipt/ Rent Agreement/ No objection certificate if it is rent free /Electricity bill/ Telephone bill in respect of the place of business and in the name of the applicant.

(b) For submission of offline application, the same two documents as in clause 4(a)(i) and 4(a)(ii) are to be submitted along with application cum self-declaration [**Annexure I & II**]

*Note I.*—For trades where statutory certificates, licenses, permissions, permits are required to be obtained by traders, production of such certificates, licences, permissions, permits are not required prior to and/or at the time of issuance/renewal of Certificates.

*Note II.*—However, such enlistment or renewal thereof shall not absolve such person from any liability to take out any license under any other law like Fire license / Fire No objection Certificate/ Pollution Control Board Certificate/ Clinical or Health Certificates/ Excise( liquor) Deptt. /RBI/ SEBI/ Customs/ Police/ Import Export etc. and alike for the time being in force.

**5. Provision for registered companies etc.:**— Companies registered under the law shall apply for and obtain CE for registered office first as office of Accounts and Administration, and thereafter shall apply for and obtain separate CEs for separate profession, trade and calling carried out upon payment of fees as per Clause 3.

6. No one shall apply for fresh CE or renewal for any profession, trade and calling in dangerous, ruinous, hazardous buildings as notified by Building Department, KMC unless such notification is withdrawn.

7. No one shall apply for certificate in residential buildings against any hazardous profession, trade and calling involving use of explosive, gas etc. and wine/ liquor shops which are prohibited in residential buildings as per provision of section 435A. As per provision of section 435A, trade and commercial activities as specified in schedule VA are allowed only in such residential buildings which are located alongside major roads and maximum 45% of the total floor area of the building may be used for such trade & commercial purposes.

#### **8. Issue of New Certificate**

##### **(I) Online:**

- (a) Issue of new Certificate of Enlistment for all profession, trade and calling shall be processed real time in online mode through KMC web portal <https://www.kmcgov.in>.

- (b) List of profession, trade and calling will be shown in drop box menu and fee will be auto calculated. Demand generation, auto calculation and fee payment as well as generation of Payment Receipt cum Certificate of Enlistment will be real time in cases of online new applications.
- (c) In case of real time issue of certificate, a disclaimer shall be printed on the Payment Receipt cum Certificate of Enlistment that "This document is auto generated through computer system as per data submitted by applicant himself online; respective department/agencies/institutions may verify documents/credentials from CE holders if so deem fit."
- (d) If it is detected at a later date, after issuance of Certificate in real time, that such certificate has been issued on the basis of false information or in violation of any provisions of relevant sections of the Act and relevant regulations of the Kolkata Municipal Corporation, then such certificate shall be cancelled forthwith.

## (II) Offline:

The Commissioner, or in his absence, the official/ employee of the Corporation authorized in this behalf, on receipt of the applications and requisite documents and on receipt of prescribed fees shall within three (03) working days from the date of receipt of the application, issue a Certificate, as the case may be, to the applicant concerned or reject the application, if it is not in order.

In case of rejection of any application, the Commissioner or employee/ official authorized by him in this behalf shall communicate the applicant the reason of such rejection within three 03 days of such rejection.

Clause 8(I) (d) will be also applicable in respect of certificate issued offline.

Note : Immediately after issuance of certificate in offline mode all data thereof will be entered in the computerized system and the certificate holder will be able to exercise online option, if so desires, for later activities like renewal, change, correction & closure.



#### 9. Modalities of New Issuance & Renewal of Certificate of Enlistment

- a) Certificate of Enlistment may be issued/renewed for all professions, trades and callings as categorized in Schedule IV for a period of one financial year or for such multiple financial years as specified in this 'Guidelines', on payment of fees paid for one year or consolidated fees for such multiple years as per the rate specified in the Budget Schedule.
- b) Whatever be the initial period of validity of a certificate, the CE holder, on expiration of that period, can apply for renewal for any number of years as is permitted, i.e., for 1 (one) / 3(three)/ 5(five)/ 15 (fifteen) years.
- c) For Warehouse/Godown/Aarat/Store/Stockist in addition to the above there will be facility for "Lifetime" CE issuance/renewal if so opted by the trader on payment of such consolidated fees for 20 (twenty) years. Life time certificate, once obtained, either initially or at the time of renewal, does not require renewal.
- d) Even if the business is closed much earlier than the expiry of such period the fees shall not be refunded.
- e) The Certificate, if not renewed in due time, shall be deemed to be lapsed/ expired. However, after the due date certificate can be renewed in real time upon online application under section 199 subject to up-to-date payment with all arrears including late fines as prescribed in the budget schedule.
- f) New demand for CE lying unpaid for 30(thirty) days will expire automatically and the applicant has to apply afresh.
- g) Certificate 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. Provisions of Clause 8(1)(d) will be applicable for in case of violation.

**10. Validity and renewal of the certificate.—** (1) The Certificate issued under clause 8 shall remain valid for a period of one financial year or for the period of 3(three)/ 5(five)/ 15 (fifteen) years.

For Warehouse/Godown/Aarat/Store/Stockist in addition to 1/3/5/15 years there will be facility for "Lifetime" certificate, if so opted by the trader, on payment of consolidated fees for 20 (twenty) years. Application for life time certificate can be made for the first time or at the time of renewal.

(2) Within 3 (three) months from the expiry of the certificate, it shall be renewed by the holder for a further period of 1(one) year or for such multiple years as per option exercised by the applicant online on payment yearly fees or consolidated fees for multiple years as the case may be.

11. Modalities for making online applications for enlistment of Profession, Trade and Calling.— Notwithstanding anything contained in these guidelines, the issue relates to applying for enlistment and modalities for issuance of new Certificate of Enlistment and renewal shall be guided by the following provisions:—

- a) Applications for Certificate of Enlistment may be made online through KMC website: <https://www.kmcgov.in>.
- b) Issue of new Certificate applied online for all Professions, Trades and callings shall be processed real time.
- c) Payment Receipt-cum-CE so generated in online/Electronic mode or from Treasury Counters/e-common Collection Counters will be exclusively treated as Certificate of Enlistment wherein it will be printed, "This receipt is to be treated as Payment Receipt cum Certificate of Enlistment and valid upto DD/MM/YYYY. Concerned Authorities/Agencies/Institutions can verify the validity of the receipt cum CE from KMC web portal." This is in addition to the disclaimer as mentioned in Clause 8(I)(c).
- d) The validity date of Certificate of Enlistment will solely be printed on the Payment Receipt cum Certificate of Enlistment. It will not be printed in Demand notice. Such date (DD/MM/YYYY) will be the last date of financial year up to which CE is paid.
- e) The following information will be displayed on Demand notices—"The payment made against this demand will be treated as valid Payment Receipt cum Certificate of Enlistment" instead of the present information "This Notice along with the corresponding payment receipt will constitute and be treated as valid Certificate of Enlistment".



- f) Renewal facility of CE shall be fully online and real time. Non defaulting Traders shall be able to apply online for multiple years renewal (3/5/15years) for all Professions, Trades and Calling and lifetime renewal facilities, in addition, in case of Warehouse/Godown/Aarat/Store/Stockist on the basis of option exercised by CE holders.
- g) Defaulters too shall be able to apply online and make payment for renewal for 1/3/5/15 years or life time ( for Warehouse /Godown/ Aarat/ Store/ Stockiest) as the case may be along with payment of dues for unpaid years including late payment fees as per the rate specified in the budget schedule.
- h) All renewal demand generation and payment facility shall be real time and there will be auto calculation and auto generation of demands in real time basis. As per existing norms, however, at the beginning of the year, renewal demand for non-defaulters shall be activated in system. It will be by default for one year only. Applicant will have the option to change it for 3/5/15 or 20 years as the case may be. However, offline mode will also be available for renewal.
- i) Henceforth service of printed physical Demand notices by post will be dispensed with/discontinued. However e-demands may be served from helpdesk counters in all Licence offices of KMC (HQ and Unit Offices) to those traders who approach such counters for e-demands.
- j) No document is required for renewal. All is required to clear all outstanding dues including fines for late payment, if any, in respect of the Certificate.

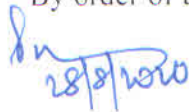
**12. Inspection:—**KMC Authority, if deem fit and proper, may conduct an inspection after issuance of new Certificate or renewal or after effecting any change/correction or closure of the business for carrying out the purposes of the Act. If it is found that the information/documents submitted by the CE holder at the time of making application are false/ /incorrect/inadequate/ not as per requirement/ misleading/forged or the CE holder is found to have violated relevant provisions of the Act, the certificate will be cancelled forthwith. Also, payments made thereof in the form of all kinds of fees will not be refunded. The CE Holder may also be liable for prosecution and punishment under the Indian Penal Code, 1860 and/or any other law applicable thereto for furnishing false information/forged document.

**13. Verification of validity of certificate:-** Status of every certificate issued will be updated time to time in the website of the Corporation. Validity of any certificate can at any time be verified from the web site of the Corporation.

**14. Closure, Change and correction of the Certificates of Enlistment:-** CE holders will be able to apply online through KMC portal for Closure, Change and correction of the Certificates. Such cases should be processed in real time upon submission of online application and a photo identity card issued by the Government and proof of up to date payment with all arrears in respect of the Certificate and one document supporting the required change/ correction/ closure. However, offline facility will also be available on submission of required documents in hard form.

**15. Mobile Number and e-mail ID:-** Submission of Mobile number and e-mail ID is mandatory for all online applications of all categories related to Certificate -New, Renewal, Change, correction, Closure and alike. For offline applications, submission of Mobile number is mandatory. Auto generated messages may be sent through SMS and e-mail to all applicants for various information related to the certificate.

By order of the Governor



Joint Secretary to the Govt. of West Bengal



## Annexure I to the Guidelines



THE KOLKATA MUNICIPAL CORPORATION  
LICENCE DEPARTMENT

कलकत्ता ६ नवंबर १९४६

सुखि/वाग्म/समस्त भद्र उणिक्/उङित्त/उना आरुमनप

1.	Application for Licence for	Renewal Licence	New Certificate of Registration	For the Year from 1982 to				
2.	In case of New Certificate of Registration	Date of Commencement from 1st Jan 1982 to						
	In case of Renewal Licence	Last Expiry Date of Licence						
				For the Year from 1982 to				
3.	Name (Style of Business) in English							
4a.	Address of Business in English							
4b.	Address of Residence in English							
		Kolkata	7	0	0	Reg. No. (1981) No.		
	Ward No. in English		Assessor No. in English					
			Area in sq. ft. in English			Whether Airt. conditioned in English	Yes	No
	Monthly Rent (Rs.) in English							
5.	Names of in English	Proprietor in English	Partners in English	Director(s) in English	Manager in English	Partner in English		
6.	Nature of Business in English							
7.	The H. F. of Motor in case of Heavy Duty vehicles (Heavy Commercial vehicles) in English							
8.	Water Supply (H.C. consumer) in English	Yes	No	If Yes, Mention the Consumer No. in English				
9.	S.S.L. Registration No. in English							
10.	L.T. Industry Certificate No. in English							
11.	No. of in English	Race Horse in English	Horse in English	Don in English	Alien Bird in English	Sheep & Goat in English	Hen / Chicken in English	
12.	No. of Carts in English							
13.	Awning / Purdah / Screen / Projection in English	(i) Length in feet in English		(ii) Breadth in feet in English				
		(iii) Length in feet in English	(iv) Breadth in feet in English					

New York, NY

 <p>For KMC Use</p>	<p>For KMC Use</p>	
<p>2. Seal of the KMC, Office from where this application form issued. (Seal must be affixed)</p>	<p>Signature of the Receiving Officer with date &amp; KMC Office seal (Seal must be affixed)</p>	<p>Signature of applicant(s), with office seal &amp; date</p>

## Annexure II to the Guidelines

### SELF DECLARATION FORMAT FOR NEW CERTIFICATE OF ENLISTMENT

I/We, Shri/Smt ..... Son/Daughter/Wife of .....  
aged about ..... years, residing at ..... Photo ID No. being .....  
ID type ..... (Epic/AADHAR/Passport/Driving License etc.) do  
hereby solemnly affirm and undertake as follows:

That I/We am/are the proprietor/Partner(s)/ Director(s) /Manager(s)/Karta of M/s -  
..... at premises no..... Kolkata 700 .... under Ward no.

.....  
That the above referred Establishment is being used as .....  
..... only (Nature of profession, trade and calling ).

The Company Identification Number(CIN)/LLP Identification Number as per Registrar of Companies/Ministry of Corporate Affairs Data..... [applicable in case of Public & Private Ltd. Company/ Limited Liability Partnership (LLP)only]

I/We hereby solemnly affirm and state that the business which I/We have started isn't restrained or banned or prohibited by any Act, Rules, Law or Order of any Court of Law or any competent authority and the premises where I am/We are carrying out the said profession, trade and calling is free from any encumbrances and in terms of law.

I/We hereby declare that the information provided above is true and correct to the best of my/our personal knowledge, information and belief.

I/We have obtained the necessary statutory Certificates, licenses, permissions, permit for carrying out of this trade, calling and profession for the place of business from the appropriate authority in accordance with law.

I/We shall be responsible or liable if the profession, trade, calling is carried out without Certificate of Enlistment or any of the certificates as per law from the appropriate authority.

I/We undertake to comply the provision of the West Bengal Shops and Establishment Act, 1963 and the Kolkata Municipal Corporation Act, 1980, and other laws if any and the rules and orders passed there under by any authority.

I/We undertake that the profession, trade, calling is being carried out in a residential/nonresidential building (strike out the inappropriate) and such profession, trade, calling does not violate any provisions of Sec 435 read with schedule V/ Sec 435A read with schedule VA of the Kolkata Municipal Corporation Act 1980.

I/We carry on trade, calling and profession, against which C.E. is applied for, which is located within the jurisdiction of Kolkata Municipal Corporation.

I am/We are fully aware about the consequences of giving false information/false or inappropriate document. If the information/document is found to be false or inappropriate, I/We shall be liable for prosecution and punishment under the Indian Penal Code, 1860 and/or any other law applicable thereto in addition to the cancellation of Certificate of Enlistment.

Full Signature of the applicant: with seal

Name of the applicant (in capital letters)