

## **RULES AND REGULATIONS GOVERNING THE LICENSING OF BARBER SHOPS IN CHANDIGRAH**

**State / union territory: Chandigarh**

**Details of licensing are as follows:**

Barber Shops 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.

As per the Punjab Municipal corporation Law (Extension to Chandigarh) ordinance, 1911 and the further amendment in 1994, the rules and regulations of Chandigarh are as per the Punjab Municipal Corporation Act 1976. So Chandigarh 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.

The procedures are same as of dhaba's. Part I of the schedule annexed to the act which was framed under the Section 343 (1)" of Punjab Municipal Corporation Act proves that the barber shops needs a license.

One has to get a license from the Municipal Corporation of Chandigarh as per the section 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.

Section 332 says that 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 authorised by the Commissioner in this behalf.

The Act according to section 333 says that no place other than a municipal market shall be used as a market unless such place has been licensed as a market by the Commissioner. 337 says that 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.

#### **Licensing Procedure:**

Under Section 343 of Punjab Municipal Corporation Act 1976, Municipal Corporation is issuing licenses. For barber Shop, the procedures are same of dhaba's.

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 WSS departments.

#### **No Objection certificates:**

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

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.

Before issuing the N.O.C (NO-Objection certificate) the site inspection will be conducted by the area building inspector. The status of building, sanction of the building plan, fees paid etc. will be checked by the area building inspector at the time of inspection. The No Objection Certificates pertaining to the electric connections to the commercial establishments is issued by the Assistant Town Planner within one week, though there is no time schedule. There is no fixed validity period for the NOC'S and the state Electric city Board checks the NOC issued by corporation before issuing electric connection. There is no prescribed Performa for N.O.C after issuing the NOC, no physical verification is done.

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

1. Sale deed in support of the ownership

2. Sanctioned building plan/receipt of composition fee paid in respect of the building for which NOC is required, if it newly constructed
3. Before issuing N.O.C. Rs.1000/-as the prescribed fee is realized

**No Objection certificate from Fire Brigade:**

The No Objection certificate from Fire Brigade is issued as per the provisions of ISI-2190(Indian Standard Industries rules). A Building Plan must be submitted in advance and no need to pay any fees for this NO-Objection Certificate. The Premises will be verified physically as per the Guidelines of ISI and National Building Code. The Requirement of premise is as per the ISI and National Building Code Provisions. 7-10 days are required to issue NO-Objection certificate. The Validity of NO-Objection certificate is one year. After issuing the N.O.C, the premise will be checked by the department once in a year.

**No –Objection certificate from Neighbours:**

It is collected from the neighbours in the shape of their signatures with complete address in prescribed Performa

**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 or municipal slaughter-house, for the right to expose articles for sale in a municipal market and for the right to slaughter animals in any municipal slaughter-house; and for the fees of such animals before they are ready for slaughter.

Act says that a copy of the table of stall ages, rents and fees, if any chargeable in any municipal market or municipal slaughterhouse, 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 30<sup>th</sup> 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 30<sup>th</sup> April of every year. In case of failure penalty shall be recovered as under:-

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