

RULES AND REGULATIONS GOVERNING THE LICENSING OF BARBER SHOP IN PATNA

State: Bihar

Details of licensing are as follows:

The trades are regulated as per the sections 426(g), 402, 389, 407, 408, 409, 406 & 390 of Patna Municipal Corporation Act 1951. Only one license will be issued for one premise. Second schedule of the Patna Municipal Corporation Act 1951 proves that the shop keepers also require a license. So barbershops do requires.

According to the provisions of section 402 of the Patna Municipal Corporation Act no person shall without a license from the Chief Executive Officer can sell and expose any animal or article in a municipal market without a license. Any person contravening the provisions may be summarily removed by the authorities.

As per the bye laws framed under section 281 no person shall be permitted to use or occupy any part of Public Street for the sale of articles unless he has previously obtained from the chief executive officer a license in the form appended to the bye laws. The license shall be granted for such period not exceeding one year as may be determined by the chief executive officer and all such licenses shall expire not later than the last day of the year which it was granted. As per bye law every license granted shall be suspended or cancelled by the Chief Executive officer with the recorded reasons.

Licensing Procedure:

Trader's license is issued under Sec-389. The person desirous of opening a barber shop has to fill an application form under sec (177) and an affidavit stating that one wants to open a barber shop with the fees stated above i.e., Rs.250. If a loan is required to start the business he/she is required to mention the loan amount as the bankers will enquire from the municipal corporation. If no loan is required then the person can submit the application form with the required fees.

As per the act every licenses granted by the corporation shall be signed by the Chief Executive Officer and shall specify the date of the grant, the purpose and the period of grant , the restrictions and the conditions for grant the person to be which it is granted and the fees paid. Any licenses for any purpose mentioned in section 389 cannot be withheld unless the chief executive officer has the reason to believe that the intending business to be established would be offensive or dangerous to the persons residing in neighbour hood.

The licensee is also bound to produce it at all reasonable times for inspection. Any licenses granted can be suspended or revoked on the infringement of any conditions of the Act or Bye law.

Documents required:

1. An application under Sec-177 is submitted to the municipal corporation to commence the business.
2. An affidavit stating the type of business and the loan amount required for starting the business submitted to the municipal corporation.

License Fees:

As per the act the corporation have the power to levy the fees. The fees will be charged as per the rates fixed by the Standing committee. Rs.250 per annum is charged for the trader's license.

Issue of License:

The license is issued on submission of above documents and payment of Rs.250.

Fees Remittance:

The voucher under rule-97(form no. xxix) is issued on payment of the above fees.

Licence Duration and Its Renewal:

License is issued for one year. The license must be renewed before March 31 of every year .The fees is Rs30/-. There is no separate procedure for renewing the license. A person desirous of renewing the license has to submit Rs.250 along with an application form to the concerned license issuing officer stating that the license has to be renewed.

Penalty:

The penalty is on the discretion of the officials. They do not have any special criteria for charging of penalty (as inquired from the officials). If they are not satisfied with the working of the shop they can charge Rs.200 to Rs.1000/-

Time to time site enquiry is done and penalty is charged if any discrepancy is found. People seeking the trader's license are liable to pay the income-tax. The penalty is on the discretion of the officials. They do not have any special criteria for charging of penalty (as inquired from the officials) .If they are not satisfied with the working of the shop they can charge Rs.200 to Rs.1000/-