

This Brochure is to facilitate the traders who are running or intends to run/establish their general trade/Storage business in the jurisdiction Municipal Corporation of Delhi and likely to apply for Fresh/New General Trade/Storage Licences for their business/establishment under the provisions of Section 417 of DMC Act-1957 (amended time to time).

The Central Licencing & Enforcement Cell (CL&EC), MCD at deals with the issue and renewal of Municipal General Trade/Storage Licences under the provisions of Section 417 of DMC Act-1957 (amended Time to Time) and composition of offences u/s 469. The Powers of Commissioner for grant of trade/storage licence/permission already stand delegated to Dy. Commissioners/ Addl. Dy. Commissioner CL&EC u/s 491 of DMC Act.

### **Necessity of Municipal Licence:**

Section 417 of the DMC Act-1957 (amended time to time) provides that any person, who desires to establish business of a General Trade and Storage, is required to obtain licence from MCD, particularly for the articles mentioned under Part-I & Part-II of the Eleventh Schedule and other articles notified by the Government Authorities by issuing Public Notices/Orders/Directions from time to time. The applicant can apply for the same online through the internet or at any of the CSB center at four zonal offices of MCD.

In order to streamline records of trade licence and ensure transparency, all applicants for new Trade /Storage Licences shall get the electronically generated Licence u/s 417 of DMC Act only after submission of complete application alongwith requisite documents, self-declaration/ undertaking, without prior verification of documents /site inspection and on receipt of requisite payment within the prescribed time.

### **1. Procedure for Application:**

**A. Fresh application:** Application for Registration for fresh Trade/ Storage license is to be submitted through **online system** with requisite documents and registration & processing fee alongwith Applicable licence fee as described under Fee & Fine of this brochure.

Requisite documents required to be submitted by the applicant:-

- i) Proof of legal occupancy of the establishment or allotment letter of Govt. agency/tenancy proof/ Electricity/Water connection bill/Landline Telephone Bill/lease deed /sale deed/GPA.
- ii) ID Proof (with photograph) i.e. Aadhar Card/Voter ID/ PAN Card/ Valid Indian Passport/ Permanent driving license, Bank pass book with photograph and signature.
- iii) Photograph of the establishment with front-facia, display of goods traded from the premises or the business being carried out from the premises.
- iv) Copy of the PAN/VAT/TIN (if available).
- v) Site Plan/Key Plan showing the area under the occupation of the applicant or earmarking salient features of the neighbourhood of the site.
- vi) Self-declaration/ undertaking, which shall be inbuilt in the online application for the General Trade/Storage License (**Annexure-I**).
- vii) Passport size recent Photograph of the Applicant.

**B. Renewal of Municipal Trade/Storage licences:-** Licence can be renewed from 1<sup>st</sup> April to 30<sup>th</sup> April within 30 days from the date of expiry without penalty and thereafter a penalty @ 5% per month and

double at the end of the year or as per the rates of penalty fixed from time to time by the Competent Authority, shall be charged through online system. The following documents will be required at the time of online submission of application for renewal of GT/SL by the licensee:-

- (i) Self attested scanned copy of original GT/SL,
- (ii) Self attested scanned copy of last receipt of license fee,
- (iii) ID Proof (with photograph) i.e. Aadhar Card/Voter ID/ PAN Card/ Valid Indian Passport/ Permanent driving license, Bank pass book with photograph and signature.
- (iv) Self-declaration/ undertaking which shall be inbuilt in the online application for renewal of General Trade/Storage License (**Annexure-I**).
- (v) Passport Size Recent Photograph of the Applicant.

**C. CHANGES PERMISSIBLE IN THE LICENSE:-** In the event of the death of the licensee, the licence can be transferred to the legal heirs of the deceased on receipt of the request alongwith online application, Registration and Processing Fee of Rs. 1,100/- (except Licence Fee which was paid earlier during the financial year) and following documents:-

- (a) Original Municipal Licence & old license fee receipt (G-8), if applicable.
- (b) Death Certificate of licensee.
- (c) NOC from other legal heirs with his/their I.D proof and proof of legal occupancy of the applicants.
- (d) Affidavit by the applicant. (**Annexure-II**)
- (e) Permission from other statutory authority for the trade, if any required.

In cases of other than the legal heirs, fresh licence shall have to be applied.

**D. AMENDMENT IN THE LICENSE:-** No amendment in case of increase/ decrease in the area for trade/ storage will be permissible. In case of increase in area of the trade premises, a fresh application will be entertained on submission of requisite difference of fees as per prescribed rates of License Fee as mentioned in para 9 above.

**E. PERIOD OF VALIDITY OF LICENCE:** In the interest of convenience of licensees (as the financial year would shortly come to an end by the time this policy is made operational), the validity of the licence issued in case of licence fee paid for one year shall be 31<sup>st</sup> March of respective year.

## 2. Fee & Fines:

The DMC Act provides that for grant of such type of license the Corporation shall fix a scale of fees to be paid in respect of trade premises licensed. For the purpose of, the applicant will liable to pay Rs. 1100/- as Registration & processing fee and applicable license fee as per the existing status of the trade primeses and Trade as mentioned in tables given below. The above fee once deposited in MCD will not be refunded in any circumstance whatsoever.

Inherent powers conferred U/s 430(2) of DMC Act, 1957 which lays down as, **“Except as otherwise provided in this Act or any bye-law made thereunder, for every such licence or written permission a fee may be charged at such rate as may from time to time be fixed by the Commissioner with the sanction of the Corporation and such fee shall be payable by the person to whom the licence or written permission is granted”**.

**Notification of New Trades/Storage Applicable License Fees Thereof:-** At any-point of time, if any new Trade/Storage comes into existence; its category will be approved and notified by the Corporation from time to time. In case a trade or storage, permissible under law of the land, is not covered under the existing list of trades as per XI<sup>th</sup> Schedule of DMC Act, 1957, it shall be licensed under “Any other” category having license fee at the prevailing rates from time to time for unavoidable loss of municipal revenue till it is notified by the Competent Authority after due process of law.

The license fees is as per the trade premises falling under the defined categories of the localities/colonies on the analogy of prevailing Property Tax/ Conversion Charges as per category/ area of the trade premises which are as under:-

(i) **ANNUAL LICENSE FEE TO BE LEVIED FOR GRANT/RENEWAL OF GENERAL TRADE/ STORAGE LICENSES**

Category of the localities (in which trade Premises is existing)	Upto 10 Sq. Mtr.	Between 10 to 20 Sq. Mtr.	Above 20 Sq. Mtrs.	The fees/charges will not exceed in a year in respect of single license
	(in Rs.)	(in Rs.)	(in Rs.)	(in Rs.)
A & B	3000/-	7,500/-	@ 125/- per Sq. Mtr.	50,000/-
C & D	2000/-	5000/-	@ 100/- per Sq. Mtr.	40,000/-
E,F,G and H	1000/-	2500/-	@ 75/- per Sq. Mtr.	30,000/-

(ii) **ANNUAL LICENSE FEE TO BE LEVIED FOR GRANT/RENEWAL OF SPECIAL TRADE/STORAGE LICENSES**

Sl. No	Name of Trade/Storage	Category of the localities (in which trade/storage is running)	Rate of License fee
01	Show Rooms i.e (a) A showroom is a large space equal or more than 250 Sq. mtr. used to display products for sale, such as Automobile, Furniture, Appliances, Carpets or Apparel etc.; (b) A showroom is a retail store of a company in which products are on sale in a space created by their brand or company.) Running trade i.e. Automobile, Furniture, Carpet, Apparel, Appliances, Jewellery, etc.	A & B	<b>Rs. 50,000/- or Rs. 125/- Sq. Mtr. whichever is higher</b>
		C & D	<b>Rs. 40,000/- or Rs. 100/- Sq. Mtr. whichever is higher</b>
		E,F,G & H	<b>Rs. 30,000/- or Rs. 75/- Sq. Mtr. whichever is higher</b>
02	Retail out-lets (convenience stores) of MNCS & Indian Companies with foreign or domestic collaboration	A & B	<b>Rs. 50,000/- or Rs. 125/- Sq. Mtr. whichever is higher</b>
		C & D	<b>Rs. 40,000/- or Rs. 100/- Sq. Mtr. whichever is higher</b>
		E,F,G & H	<b>Rs. 30,000/- or Rs. 75/- Sq. Mtr. whichever is higher</b>
03	Ware-houses from where goods are sold	A & B	<b>Rs. 50,000/- or Rs. 125/- Sq. Mtr. whichever is higher</b>
		C & D	<b>Rs. 40,000/- or Rs. 100/- Sq. Mtr. whichever is higher</b>
		E,F,G & H	<b>Rs. 30,000/- or Rs. 75/- Sq. Mtr. whichever is higher</b>
04	Stores attached with cold store	A & B	<b>Rs. 50,000/- or Rs. 125/- Sq. Mtr. whichever is higher</b>
		C & D	<b>Rs. 40,000/- or Rs. 100/- Sq. Mtr. whichever is higher</b>
		E,F,G & H	<b>Rs. 30,000/- or Rs. 75/- Sq. Mtr. whichever is higher</b>
05	Gas/CNG Godowns/Storage	A & B	<b>Rs. 50,000/- or Rs. 125/- Sq. Mtr. whichever is higher</b>

06	Petroleum & Petroleum Products (other than dangerous Petroleum Act-1934)	C & D	Rs. 40,000/- or Rs. 100/- Sq. Mtr. whichever is higher
		E,F,G & H	Rs. 30,000/- or Rs. 75/- Sq. Mtr. whichever is higher
		A & B	Rs. 50,000/- or Rs. 125/- Sq. Mtr. whichever is higher
		C & D	Rs. 40,000/- or Rs. 100/- Sq. Mtr. whichever is higher
		E,F,G & H	Rs. 30,000/- or Rs. 75/- Sq. Mtr. whichever is higher

(iii) **Automatic increase in applicable Trade License/Storage Fees after every three years:-** The Trade/Storage license fees shall automatically be **increased by 15%** (rounded to next rupee in multiple of Rs. 10/-) on every three years (from NOV-2015).

(iv) **METHOD OF PAYMENT OF REGISTRATION & PROCESSING FEES/ LICENCE FEES FOR FRESH & LICENCE FEES AT THE TIME OF RENEWAL:-**

- MCD shall encourage applicants to regularly make payments towards the fee for current financial year and at the time of renewal of licence fee thereof through online or by cash /DD in favour of Commissioner, MCD at all the Zonal CSB centres of MCD.
- An online auto generated list (MIS) on 15<sup>th</sup> of each month shall help to find out the defaulters who have not paid their Licence/renewal fees/charges. It shall thereby help MCD to monitor and control the municipal revenue loss and also for effective enforcement against the defaulters.

(v) **COST OF ELECTRONIC TRANSACTION CHARGES TO BE BORNE BY THE APPLICANT:-** All requisite charges at the time of making electronic payments shall be borne by the applicant.

The above Trade/Storage License Fee and Renewal Fee will also be applicable on the trade premises for following defined categories as per MPD-2021:-

Tier	I	II	III	IV	V
	Metropolitan City Centre (Pertains to already developed Central Business District)	District Centre	Community Centre	Local Shopping Centre	Convenience Shopping Centre

Activities permitted	Retail Shopping Stockists and dealers of medicines and drugs, Commercial and offices of local bodies, PSUs, Cinema, Cineplex, Hotels, Restaurants, Banquet Halls, Socio-Cultural activities / Recreational Club, Service Apts., Coaching Centres /Training Institutes, Police Post, Fire Post. Tel. Exchange, Post and Telegraph Office, Petrol Pump/ CNG Station, Bus Terminal, Informal Trade	Retail Shopping Stockists and dealers of medicines and drugs, Commercial and offices of local bodies, PSUs, Cinema, Cineplex, Hotels, Restaurants, Banquet Halls, Socio-Cultural activities / Recreational Club, Service Apts., Coaching Centres /Training Institutes, Police Post, Fire Post. Tel. Exchange, Post and Telegraph Office, Petrol Pump/ CNG Station, Bus Terminal, Repair? Services, Bank, ATM, Guest House, Nursing Home, Informal Trade	Retail Shopping Stockists and dealers of medicines and Drugs, Commercial and Offices of local Bodies, PSUs, Cinema, Cineplex, Hotels, Service Apts. Restaurants Banquet Halls, Guest House, Nursing Home, Dispensary, Clinic Club. Clinic and Poly, Clinic, Coaching Centres / Training Institutes, Police Post, Post Office, Petrol Pump / CNG station, Repair / Services Bank, ATM, Informal Trade, Multi level parking.	Retail Shopping Stockists and dealers of medicines and Drugs, Commercial Offices, Clinical Laboratory, Clinic & poly Clinic & poly, Clinic, Repair Services, Bank ATM, Guest House, Nursing Home, Informal Trade. Coaching Centres / Training Institutes, Restaurant .	Retail Shopping, Local Level service activities. Repair, Office, Bank, ATM, Informal, Informal Trade Restaurants.
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3. Other categories for issuing GT/SL as per provisions of MPD -2021 are as under:-

- a) **Conforming Industrial Areas/Flatted Factories/Industries & Newly notified 22 areas of Industrial conglomeration:-** Licences will be granted for trade on any floor permitted under the provisions of Building Bye-Laws/Zonal Development Plan of that area **(Para 7.6.2 of MPD-2021) (Annexure-III)**
- b) **Metropolitan City Centre :** [As mentioned in MPD-2021 para 5.3]
- c) **Local Commercial/ Commercial areas:** [As mentioned in MPD-2021 para 5.7]
- d) **Community Centre :** [As mentioned in MPD-2021 para 5.6.1]
- e) **LSC/ CSC:** [As mentioned in MPD-2021 para 5.6.2] Lajpat Nagar, Rajouri Garden, Tilak Nagar, etc. having concentration of commercial activities, may continue subject to conditions prescribed under the Mixed Use Regulations.
- f) **Distt. Centres/C.B.D./Sub-C.B.D.:** [As mentioned in MPD-2021 para 5.4] The District Centres already developed or in advanced stages of development in the jurisdiction of South Delhi Municipal Corporation are as Indicated below(as shown in MPD-2021):
  - i) Nehru Place
  - iii) Bhikaji Cama Place
  - iv) Janakpuri
  - vi) Shivaji Place (Raja Garden)
  - ix) Saket

Other District Centres in Delhi Urban Area (DUA)-2001, in the process of development yet to be developed are as indicated below(as shown in MPD-2021):

- iii) Peeragarhi (Rohtak Road)
- xii) Dwarka

- g) **Service Market/ Service Centre** [As mentioned in MPD-2021 para 5.9]

h) **Pedestrian Shopping Streets,**

- i) **Non-hierarchical Commercial Areas:** Besides the above District Centres, the following Non Hierarchical Commercial Centres shall be developed with specific schemes for each centre:
- ii. Commercial Centre adjoining Metropolitan Passenger Terminal, Okhla (Jasola)
  - iv. Commercial Centre, Nehru Nagar (Near Ring Rail)

The following other existing non-hierarchical commercial centres, which are also providing services at city level, would also need to be redeveloped:

- i) Central market - Lajpat Nagar
- ii) INA market
- iv) Any other area as may be identified.

The development control norms for the above areas shall be as per approved schemes and any enhancement in FAR wherever approved shall be subject to charging appropriate levies from the beneficiaries.

j) **Industrial Units/Plots abutting 24 mtr. Row (these categories should be approved in layout plan & sanction building plan Category B, 'A' & A-1 (Household) refer Para 15.7.1, 2, 3 of MPD-2021)**

These areas/Markets are developed or declared conforming for running trades/storage and manufacturing activities from time to time by the L&DO, DDA, Delhi Govt., South DMC and other land controlling authorities. Manually run manufacturing activities are mentioned in MPD- 2021 'use premises' i.e. categories defined in A+A-1B/services/repair/ packaging/assembly (without manufacturing). In these areas licences will be issued for the floors permitted as per sanctioned/regularized building plans or as per building bye-laws of that particular area for the trades which are not prohibited by a Notification/Order **(Para 15.7.1,2,3 of MPD-2021 as Annexure-IV).**

k) **Trade/Storages connected with the Household Industries Category activities listed in the 'A' & 'A-1' of units defined in para 7.4 of MPD-2021 (Annexure-IV).**

- l) **Urban Villages/Rural Villages (only in extended Lal Dora/ Abadi):-** The Master Plan of Delhi, 2021 recognizes the physical & functional transformation in these village areas overtime. These villages have been equated with special areas such as; old city & its extensions and Karol Bagh, under section **(Para 4.2.2.2 of MPD-2021)**. Household industrial activities (Group 'A'+A-1 of MPD) operated manually will be permitted in this category. The building abutting main roads declared commercial and whose owners/occupiers have paid conversion charges to the concerned authorities, the activities mentioned above will also be permitted and no inflammable or hazardous substance will be permitted to be stored. Keeping of storage godowns and warehouse will be permitted till DDA is able to make arrangements for their shifting to other areas or the existing are allowed to continue. Retail shops of building materials timber, timber products, marble, iron & steel, gravel, cement and sands, firewood, coal junk shop etc. are permitted in plots of at least 50 Sq. meter provided that the material is kept entirely within the plot premises on ground floor. Storages, warehouses & godowns used for agricultural inputs or produce (including dairy & poultry) are permitted with the condition that the owner/occupier who is not a bonafide resident of the village will obtain licence.

- m) **Mixed Land use Streets/Roads/Areas:** Retail shops on plots abutting streets notified for mixed use only on the ground floor up to the maximum permissible ground floor coverage are permitted as per MPD-2021. Existing shops as on date of notification of MPD-2021 i.e. 07.02.2007, operating from basements on such streets are allowed to continue, subject to relevant provisions of Building By-laws, structural safety and fire safety norms. The FAR in excess

shall be used, subject to payment of appropriate charges to be fixed by building section of the Zone **(Para 15.7.1,2,3 of MPD-2021)**.

**a. Activities which are not allowed under mixed land use; as mentioned in Para-15.7.1,2,3 of MPD-2021:-**

- i) Retail shops of building materials, timber, timber products (excluding furniture), marble (except finished marble products without cutting and polishing) iron & steel, gravel, cement and sand, firewood, coal and any fire hazardous and other bulky materials;
- ii) Repair shops/ workshops of automobiles, tyre resoling and retreading, battery charging;
- iii) Storage, godown and warehousing;
- iv) Junk shop (except paper & glass waste) ;
- v) Liquor shop;
- vi) Printing, dyeing and varnishing;

**b. Activities which shall be permissible under mixed land use:-**

- i) Retail shops of gravel, cement and sand **shall be permissible in plots of at least 50 Sq. metre in notified mixed used streets in E, F & G category colonies, provided that the material is kept entirely within the plot premises;**
- ii) Repair shops & automobiles workshops **shall not be** prohibited on plots abutting mixed use streets or commercial streets of ROW of 30 meter or more **(Para-15.7.1,2,3 of MPD-2021)**.

**n) Commercial Street of Central/South/West/Najafgarh Zone - (Annexure -V)**

- o) Basements:** Licenses for storage will be issued in **Basements** which will meet the norms of Building Bye-Laws and regulations framed by local bodies, i.e. MCD Delhi Fire Services, etc. as per the provisions of the MPD-2021, prohibited articles are not to be stored.
- p)** The Trade/Storage License is proposed to be granted in a new category; i.e. “Trade Premises in **Basement** for using trade/ storage purposes” subject to strict compliance of the permission/ guidelines mentioned in the MPD-2021 and also directions of the various Hon’ble Courts given to the Local Authorities from time to time in this regard.
- q)** Activities permitted in Local Shopping Centres (LSCs) and Retail Sale outlets up to maximum 10% of the floor area on ground floor will be permitted for incidental storage related to the industrial activity; will be permitted in the plots abutting roads on 24 Mtr. and above Right of Way (ROW), subject to payment of conversion charges and other dues as declared in self declaration/ undertaking.
- r) Other Categories:** Other than above categories, 24 trades are as follows:-
  - i) Vegetables/fruits/flowers;
  - ii) Bakery items/ Confectionary items;
  - iii) Kirana/General store;
  - iv) Dairy product;
  - v) Stationery/Books/Gifts/Book binding;
  - vi) Photostat/Fax/STD/PCO;
  - vii) Cyber cafe/ Call phone booths;
  - viii) LPG booking office/Showroom without LPG cylinders;
  - ix) Atta Chakki;
  - x) Meat/Poultry and Fish shop;
  - xi) Pan shop;
  - xii) Barber shop/Hair dressing saloon/Beauty parlour;
  - xiii) Laundry/Dry cleaning/ironing;
  - xiv) Sweet shop/Tea stall without sitting arrangement;
  - xv) Chemist shop/Clinic/Dispensary/Pathology lab;

xvi) Optical shop;  
 xvii) Tailoring shop;  
 xviii) Electrical/Electronic repair shop; and  
 xix) Photo studio;  
 xx) Cable TV/DTH Operation;  
 xxi) Hoisery/Readymade Garments/Cloth shop;  
 xxii) ATM;  
 xxiii) Cycle Repair Shop and  
 xxiv) Ration shop & Kerosene Shop and PDS/Any other item/activity that may be notified by the Central Government are licensable in small shops of upto 20 Sq. Meters at Ground floor in residential areas in planned/ developed colonies including 'A' & 'B' category colonies as well as in unauthorized colonies, which have been permitted by the Hon'ble Supreme Court of India and documents are to be submitted as mentioned in **MPD-2021** under the relevant category **(Para 15.6.3 of MPD-2021)**.

In residential plotted development where there is only one dwelling unit in a residential plot, only one type of mixed land use i.e. retail shop or professional activity or one of the other activities listed in para **15.7.1 of MPD-2021** shall be permissible in that unit. Where there are more dwelling units, each of the dwelling unit will be permitted to have only one type of mixed use activity (either retail shop or professional activity or any one of the other activities listed in **para 15.7.01 of MPD-2021**), they are; (a) Pre-primary School (Nursery/Mont. School, Creche), (b) Nursing Home, Clinic, Dispensary, Path. Lab & Diagnostic Centre, (c) Guest House (including Lodgine House), (d) Bank, (e) Fitness Centre, (f) Coaching Centres/Tuition Centres, other activities and professional activities like Doctor, Lawyer, Architect, Chartered Accountant, Company Secretary, Cost and Works Accountant, Engineer, Town Planner, Media Professionals and Documentary Film Maker, Teacher, Musician, Crech, Jyotishi, Library run by Social & Cultural Organization, Office of NGO are **not licensable u/s 417 of DMC Act**.

#### 4. REGULATION OF TRADE/ STORAGE LICENCE AS PER BUILDING REGULATION:-

AUTHORISED BUILDING	UNAUTHORISED BUILDING	
	Structure is protected under Delhi Special Provisions Act 2011 (as amended in 2014 and from time to time).	Structure is Not protected under Delhi Special Provisions Act 2011 (as amended in 2014 and from time to time)
Trade Licence shall be granted	Limited Licence will be granted which shall be effective for the period for which they may enjoy certain immunity and shall stand null and void when it ceases to exist.	Licence shall not be granted.

- The licensee cannot claim/demand immunity from action or penalties on the ground that the Trade/ Storage Licence has been granted without prior verification of such applicable provisions.
- Grant of Licence under the scheme shall not, ipso-facto, entitle the licensee to claim permission as laid down under Section 347 of the DMC Act or any permission available under the ACT.

#### 4. ACTION AGAINST ENCROACHMENT ON PUBLIC LAND AND FOR MAKING FALSE AVERMENTS IN THE SELF-DECLARATION/ UNDERTAKING FOR THE PURPOSE OF GRANT OF LICENCE:-

- Trade/ Storage Licence shall be granted only to such establishment that has not encroached on government or public land. This shall be considered purely on the basis of the self-declaration/ undertaking given by the applicant. However, in case, statements in the Self



Declaration/Undertaking are subsequently found otherwise, strict penal action and penalties under the DMC Act and other provisions of the relevant law shall be imposed and action for cancellation/revocation of licence shall be undertaken against the establishment/licensee.

- The licensee cannot claim/ demand immunity from action or penalties on the ground that the Trade/ Storage Licence has been granted without prior verification/site inspection.
- Licence shall be denied/ cancelled in case it is found that there is encroachment on Right of Way (RoW) or any other encroachments that are not protected under special laws.

#### **6. PROHIBITED/ NEGATIVE LIST OF INDUSTRIES and Hazardous Item (Annexure –VI ‘A’ and Annexure-VI ‘B’):-**

- i) In “Special Areas” if falling under jurisdiction of MCD, restriction will be imposed on storage/warehousing of bulk storage of commodities like food grains, fruits and vegetables, dairy, poultry/fish products, Iron & Steel or building materials. Further, in such areas storage of hazardous/inflammable commodities like paper/plastic/PVC/ Chemicals/Petroleum and its products shall not be granted.
- ii) Storing of chemicals, listed under schedule I & II of the Manufacture, Storage and Import of Hazardous Chemical Rules 1989 and as amended from time to time & Public Liability Insurance Act 1990 and as amended from time to time shall be prohibited.
- iii) Any category for which the Government has earmarked special locations from where such trades/occupations can operate or there can be a threat to human safety will be governed by such regulations.
- iv) Industries manufacturing such items prohibited by DPCC shall not be granted licence.

That the restrictions or controls shall be based on any extant laws/by laws/ rules/regulations and the provisions of MPD-2021 or directions of any Court of law or any Competent Authority thereof, for the time being in force.

#### **7. Timings for Running Trade/Storages:**

If the licence is for an industrial area, the manually operated activities can also be run at night provided that prior written permission from the Authority has been obtained.

For the trades/storage units located in the areas other than the industrial areas, the working hours are normally from sunrise to sunset but the same are regulated from time to time by the Govt, of NCT of Delhi as per provisions contained in Delhi Shops & Establishments Act, which will be adhered to. Storing of Chemicals listed under Schedule-I and/or II of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 & Public Liability Insurance Act-1990 shall be prohibited.

***The issue of licence shall be further subject to the following terms and conditions which are to be strictly adhered by the licensee:-***

- (a) The licensee shall permit the authorized officer to inspect the licensed premises (consequent to issue of General Trade/Storage Licence) under question at all reasonable times and without notice during the tenure/ validity of licence.
- (b) The licence shall be displayed in the trade premises prominently.
- (c) The licensee shall neither do *nor* permit any negligent act which is likely to cause fire or otherwise endanger the public safety in the licenced premises.

- (d) The licensee shall install such adequate fire extinguishing measures as per specifications of fire safety standards and completely indemnify the MCD for any incidence of fire due to the grant of the said license.
  - (e) Whenever the licenced premise is vacated, the licensee shall inform the concerned officer and is liable to return/surrender the licence to South DMC. Failure to do so shall make him ineligible for issue of licence in future without getting cleared all previous dues.
  - (f) The licensee shall keep the premises clean and will prevent accumulation of filth or refuse.
  - (g) The licence shall not be transferable from one premise to another nor from one person to another (except in death cases or transfer to their legal heirs) nor from one establishment to another.
  - (h) The licensee shall make separate storage arrangements for the articles which are intended for human & animal consumption and which are poisonous or likely to contaminate other items within the premises.
  - (i) The licensee shall ensure that no act is being done in the licenced premises which shall lead to danger to life or property, nuisance etc.
  - (j) The licensee shall not encroach upon public land in any manner.
  - (k) The licence does not have any bearing on ownership and cannot be used for settlement of ownership dispute.
  - (l) The Licence does not entitle for regularisation of any unauthorised construction.
  - (m) The license is subject to all terms and conditions imposed at the time of grant of General Trade/Storage Licence and also imposed from time to time. If it is found that the activity is not permissible then license shall stands revoked without any further communication and MCD shall be kept harmless for the same.
  - (n) The licence is liable to be cancelled in any case if any of the statement made in self declaration/undertaking are subsequently found otherwise.
  - (o) The grant of the license does not abdicate the licensee from responsibilities towards complying with the provisions of the DMC ACT, 1957 (as amended in 1993 and from time to time) or any other law for the time being in force or as amended from time to time.
  - (p) The licensee shall not be allowed to run any trade which is prohibited by any Act/Law/Govt. orders/Directions from any Court of Law /MPD-2021.
  - (q) The licence is liable to be cancelled if the trade/ premises is found to be contrary to provision of MPD-2021/ Delhi Special Provisions Act, 2011 (as amended in 2014 and from time to time).
8. **PENAL ACTION FOR NON COMPLIANCE:-** As per DMC Act, no person shall run trade activity without written permission of the Commissioner, MCD. Any violation of the obligation imposed by or under the laws, bye-laws, rules, regulations shall attract prosecution as provided u/s 461 of the DMC Act.
9. **REVOCATION, SUSPENSION AND RESTORATION OF LICENCE:** If the licensee fails to comply with any of the conditions of the licence as detailed above, the Addl. Dy. Com./CL&EC (HQ) or any other authorized officer, after giving reasonable opportunity to the licensee of being heard in the matter, may revoke or suspend the licence. The license is liable to be cancelled in case any of the statement in the Self Declaration/Undertaking is proved to be otherwise or any of the information submitted in the application form is found to be otherwise. The appeal for restoration of such revoked/suspended licence will lie with the Addl. Com. (In-charge), if the licensee has removed the contraventions.
10. The policy of obtaining online GT/SL of MCD shall also be read in conjunction with court directions in the following matters and other relevant Statutory provisions applicable from time to time:-
- (a) In addition to the provisions of DMC Act, 1957, the provisions of Article 243-X (74<sup>th</sup> amendment) of the Constitution of India, the provisions of Master Plan of Delhi-2001 followed by 2021, the Judgements promulgated by the Apex Court of India in PIL 'CWP No. 4677/1985-M.C.Mehta V/s UOI & Others' and orders/instructions issued by the Hon'ble High Court of Delhi in the case WP(C) 4582/2003 titled as "Kalyan Sanstha Society V/s CLO, MCD & Ors.", are to be complied with for considering the grant of license & renewal thereof.

- (b) **Fire Safety Certificate** –The liability for obtaining Fires Safety Certificate, if required as per provisions of Delhi Fire Service Act, 2007 read with Delhi Fire Service Rules, 2010 lies solely on the applicant as the license is being granted without prior verification/ site inspection and purely on the basis of self declaration/undertaking

11. **PUBLIC COMPLAINT CELL:-** For the redressal of grievances and in case of complaints regarding harassment, encroachment on public land by the licensee/traders, any violation of term and condition of the license etc., Dy. Commissioner/ Addl. Dy. Commissioner (CL & EC/HQ) can be contacted between 12:00 to 1:00 PM twice in a week:-

Sl. No.	Name of the department with address	Designation
1.	Central licencing and Enforcement Cell (HQ), Dr. SPM Civic Centre, JLN Marg, New Delhi-110002	Dy. Commissioner, Addl. Dy. Commissioner

**Note :-**— The DDA'being the custodian of MPD-2021 has issued Public Notices on 30-4-2008, 16-5-2008 and 18-5-2008 inviting objections/suggestions relating to commercial activities and any change notified in this regard will be applicable on the licenced premises.