

MUNICIPAL CORPORATION OF GREATER MUMBAI

Shops & Establishment Department

No.CI/5107/SEC Dt. 26.12.2016

CIRCULAR

Subject: Procedure to be adopted for registration and renewal etc. under Shops & Establishment Act.

With a view to bring simplicity in registration / renewal and change in registration certificate under Shops and Establishment Act, 1948 computerization and online facilities have been made available as per the instructions given by Government of Maharashtra from time to time. Now since such online facility has been made available, the instructions regarding procedure to be adopted hereafter are being given to the ward offices, as follows.

A) Registration of new shops and establishments: (Form 'A')

- 1) Hereafter, registration of new shops and establishments will be made only online. For registration of new establishments, the citizen will have to make an application on Municipal Corporation's website (www.mcgm.gov.in or www.portal.mcgm.gov.in) under citizen facility Tab under Shops & Establishment Tab by uploading the necessary documents with online fees. It has been made mandatory for the applicants to give e-mail id. in the application.
- 2) Such online application will be immediately available on the computer in Shops & Establishment Department in the Ward Office.
- 3) In order to peruse such applications received on computer every day, at least one fulltime inspector should be appointed everyday in Shops & Establishment Department in Ward Office. Such inspector will verify the applications received on computer screen, ensure that the necessary documents and the application are proper in all respects and immediately approve registration. On sanctioning the registration, the applicant will immediately receive the registration certificate on the e-mail i.d. mentioned in the application through computerized system.
- 4) If necessary documents are not enclosed with the application and if the application is not complete in all respects, the applicant will be informed to comply with, within prescribed period of 15 days. If such compliance is not made, registration will be refused and a message to that effect along with the reason for rejecting the application will be received by the applicant on his e-mail.
- 5) In cases where the applications are sanctioned, the concerned inspectors will visit the establishment at the address given in the application within 7 days and confirm that the shops or establishments are existing there and that the information given in the application is true. If the information given is found incorrect, steps should be taken to cancel the registration.
- 6) In cases where the registration is rejected due to non-submission of necessary documents with the online application or due to incomplete application, the applicants will have to apply again through online system.

7) Hereafter, paper application for new registration will not be accepted at Citizen's Facility Centre in Ward Office or at Cyber CFC or anywhere else, nor can it be processed for registration. Similarly, registration fee also cannot be accepted in cash.

B) Renewal of Registration Certificate: (Form 'B')

1) Hereafter, facility for renewal of Shops and Establishment Certificate has been made available online through computer. For this, the citizen can make the renewal through online facility under Citizen Facility Tab under Shops and Establishment Tab on www.mcgm.gov.in and www.portal.mcgm.gov.in site of Municipal Corporation. After making online application for renewal and after online payment of the fees, the renewed registration certificate along with the receipt for fees paid will be sent to applicant on his email id. Since such renewal is made online, Form 'B' is not necessary.

2) However, in view of the large number of shops and establishments to be renewed, the policy of making the renewal strictly online will not be implemented immediately and permission for physical renewal will be granted at Citizen's Facility Centre and at Cyber CFC till 31st March 2017. However, the renewal from 01.04.2017 will be made strictly online and this information should be immediately displayed on the notice board for the information of the citizens.

C) Changes to be made in Registration Certificate (Form 'E')

1) Changes to be made in Shop & Establishment Registration Certificate will hereafter be made only through computerized online system. For this, the citizens will upload the necessary documents for making changes in registration certificate under Citizen facility Tab under Shops and Establishment Tab on Municipal Corporation's website (www.mcgm.gov.in OR www.portal.mcgm.gov.in), along with the online fees with online application.

2) Such online application will be immediately available on the computer in Shops & Establishment Department in the Ward Office.

3) In order to peruse such applications received on computer every day, at least one fulltime inspector should be appointed everyday in Shops & Establishment Department in Ward Office. Such inspector will verify the applications received on computer screen and if the necessary documents are enclosed with the application, shall approve such proposed change. If such change is approved, the revised registration certificate will be received by the applicant on the e-mail mentioned in the application through computerized system immediately.

4) If necessary documents are not enclosed with the application and if the application is not complete in all respects, the applicant will be informed to comply with, within prescribed period of 15 days. If such compliance is not made change notified in the E form application will be refused and a message to that effect along with the reason for rejecting the application will be received by the applicant on his e-mail.

5) In cases where the applications are sanctioned, the concerned inspectors will visit the establishment at the address given in the application within 7 days and confirm that the proposed change is true and correct. If the information given is found incorrect, steps should be taken to cancel the 'E' form and the applicant may be informed accordingly by e-mail.

6) In cases where the registration is rejected due to non-submission of necessary documents with the online application or due to incomplete application, the applicants will have to apply again through online system.

7) Hereafter, 'E' Form for changes in the registration certificate will not be accepted at Citizen's Facility Centre in Ward Office or at Cyber CFC or anywhere else, nor can it be processed. Similarly, registration fee also cannot be accepted in cash.

D) Various registers and records to be maintained by the owner of the establishment and its inspection:

Under the Shops & Establishment Act 1948, the employer of the establishment is required to maintain various registers such as attendance register, leave card, salary register etc. relating to the employees working in the establishment. Further, the inspectors are required to visit the establishments for inspecting the said records.

To protect the interest of the workers and to promote the industries and businesses, the facility of uploading the records to be maintained by the employer on the Upload Register Tab on website www.mcgm.gov.in and www.portal.mcgm.gov.in for the purpose of inspection by the inspectors, will start from 01.04.2017.

After uploading the records by the employer, the concerned inspector will verify the said records on his login id. Thereafter, if the said records are proper, will record such observation which will be sent to the employer on his e-mail id.

Also while inspecting records if discrepancies / irregularity found, the concerned inspector will pass on the remarks to comply the same within 15 days. Message to that effect will be sent on his/her email id.

If the employer of the establishment does not comply with the said deficiencies within prescribed period, the inspector will visit the establishment only with prior approval of the competent authority, i.e. Asst. Commissioner and pass inspection remarks under the Act. Responsibility of getting the deficiencies in the inspection remarks complied with will be that of the immediate senior officer of the inspector. The concerned senior officer will take action for compliance as per the procedure being followed by the Government of Maharashtra. The orders to take further action in connection with the observations not complied with, will be given by the concerned senior officer to the concerned inspector.

E) Site visits to be made by the Inspectors / Senior Inspectors:

It will be the policy that the inspectors appointed for implementation of Shop & Establishment Act in Mumbai Municipal Corporation, will make minimum necessary visits. Hereafter, the procedure for making site visits will be as follows:

- 1) After new registration is given, the concerned inspector shall first make a site inspection to confirm the address and other details.
- 2) As the Municipal Corporation has given permission to maintain online registers and records, the cases in respect of the establishments which will take benefit of this facility and submit online registers, will be handled after checking the online registers on computer screen and there will be no need to make a site visit.
- 3) Apart from the above mentioned reasons, if any complaint is received against the shops and establishments or if the inspector wishes to visit any establishment for any other reason, he can make such visits only after submitting a proposal for the purpose and getting prior permission from the competent authority, i.e. Asst. Commissioner. The visits to the establishments will be made after taking prior approval from the Asst. Commissioner and action will be taken.
- 4) Taking into consideration the above instructions regarding the site visits, the Chief Inspector, Shop & Establishment will revise the number of site visits to be made by the inspectors and the norms thereof.

Sd/-	Sd/-	Sd/-	Sd/-
Dt.17.12.2016	Dt.17.12.2016	Dt.19.12.2016	Dt.21.12.2016
Shri.A.D.Gosavi	Shri.Prakash Patil	Smt.Dr.Pallavi Darade	Shri.Ajoy Mehta
Chief Inspector	Dy.Municipal	Addl. Municipal	Municipal Commissioner
Shops & Establishments	Commissioner (Spl)	Commissioner (City)	

Copy to:

Sd/-
Chief Inspector, Shops & Establishment