

## **LICENCE DEPARTMENT :**

With a view to safeguard public property and life, the Licence Department functions as follows :-

### **(1) Licensing of Trades and Storages :**

The Licensable Trade/Storages mentioned in the Schedule 'M' attached with section 394 of the Mumbai Municipal Corporation Act, 1888 are being controlled by the Licence Department.<sup>4</sup>

According to rules & regulations of the Corporation and as per section 479 of Mumbai Municipal Corporation Act 1888, licences for trades and storage are granted. Under section 471 of Mumbai Municipal Corporation Act, the person trading and storing unauthorizedly is fined. Further if unauthorized trades and storages are dangerous to lives of citizens then after obtaining remarks of Fire Brigade under section 394 of Mumbai Municipal Corporation Act the goods will be seized. Legal action taken against unauthorized production and storage of inflammable, dangerous & hazardous chemicals. Sometimes seizure action against such production and storages taken under section 516 AA of Mumbai Municipal Corporation Act with help of police.

To make issue of new licences under various sections and renewal of licences easier, Municipal Corporation of Greater Mumbai has liberalized the policy of forming One Window System at Ward Office level. Since 15<sup>th</sup> August 2001 under this scheme licences are being granted at premises and constructions on production of Government / Semi Government document prior to 1<sup>st</sup> January 1995 and after obtaining remarks of Fire Brigade and other related offices and compliance of it. Afterward "SAP SYSTEM" has been adopted by the Municipal Corporation of Greater Mumbai for computerization with effect from 1<sup>st</sup> April 2007, to grant licences wherein licences are being issued under section 394 as per checklist and renewed on yearly basis. Licensee if desires, can renewed licence/s for a period of two years.

### **(2) Control on projections :**

Stall Board, showcases, projections projecting on the Municipal Roads/footpaths are being controlled under section 313 (1)(b)(c) of Mumbai Municipal Corporation Act, 1888. In this regard if shop owners produce documentary evidence of ownership of shop

premises then permission granted for showcases, over hanging awining, rolling shutter, door etc. and renewed on yearly basis.

### **(3) Control on Squatters and Hawkers :**

Hawkers' licences were granted under section 313 (A) / 313 (B) of Mumbai Municipal Corporation Act 1888 upto 1977. Licences were granted to hawkers, hawking on roads and footpaths, licences for Cobblers and P.C.O. Booths to blind / handicapped persons were liberally granted up to the judgement date i.e. 30<sup>th</sup> July, 2004 of Hon'ble Supreme Court. However, as per the orders of Hon'ble Supreme Court dated 30<sup>th</sup> July 2004 M.C.G.M. is restrained from issuing any new Hawker licence to any person for doing any activity.

While hearing the petition on the scheme of the "Hawking and Non Hawking Zones", the Hon'ble Supreme Court vide their order dated 12<sup>th</sup> February 2007, directed the State Government of Maharashtra to frame the Policy for hawkers based on the National Policy on Urban Street Vendors up to 31<sup>st</sup> May 2007. Accordingly, the State Govt. of Maharashtra formulated "Model Byelaws" as per Government Resolution No.309 of 02.03.2009 and M.C.G.M. was asked to formulate its own Byelaws based on said "Model Byelaws" for regulation of hawker in the City of Mumbai.

Accordingly, the Municipal Corporation of Greater Mumbai has formulated Hawkers Bye-laws 2009 for which Corporation has accorded sanction vide C.R. No.1192 on 26.02.2010. As per the procedure laid down in "Model Bye-laws" of the State Govt. suggestions / objections on Byelaws have been invited from the citizens of Mumbai, Hawkers Unions other Institutes and other concerned by giving Press Note and the scrutiny thereof is completed. Hearing on suggestions / objections is to be accorded by the Hon'ble Mayor and necessary changes will be incorporated in the Bye-laws after hearing the suggestions / objections and will be placed again before the Corporation for sanction. On receipt of the Corporation's sanction, these Bye-laws will be submitted to the State Govt. for final approval. However, State Government has informed on dtd.25.06.2010, that suitable provision in the Corporation Act is under consideration of the Government ; and Bye-laws should be finalized after suitable provision in the Corporation Act is made by the Government.

Hon'ble Supreme Court by its order dated 09.09.2013 directed State Government for facilitating implementation of **Hawking Policy 2009** to all the local authorities / Corporation. Accordingly State Government have circulated the copy vide G.R.No. NHP-2013/Case No.39/UD-34 dated 21.10.2013.

As per the said orders given by State Government, 'Town Vending Committee' is formed under the Chairmanship of Hon'ble Municipal Commissioner in December 2013 accordingly 'Wardwise Vending Committee' has been formed at Municipal Ward level.

**(4) Advertisements :**

Municipal Corporation of Greater Mumbai has formulated revised Policy Guidelines on 10<sup>th</sup> January, 2008 to enhance the aesthetic beauty of Mumbai City by modifying the earlier Policy Guideline 2000 on the grant of permission for display of Sky signs and advertisement under section 328 and 328A of Mumbai Municipal Act 1888. The aim is to improve the quality of advertisement at par with international standard. Specific clauses in respect of size of hoarding, structure and distance between two hoardings are included with a view to increase aesthetic beauty of Greater Mumbai. Taking into account the public safety, restrictions are imposed on erecting one upon one hoardings as well as clubbing of hoardings and ordered removal of all projections of the hoardings on footpath/Road or outside the building line.

Considering the various issues and opinion of the public as relating to mushrooming number of advertisement and likely damage to buildings due to hoardings on its terrace / rooftops, etc., it is now decided that no new hoardings will be permitted on rooftop and terraces and minimum distance between two hoardings on poles shall now be 100 mtrs. instead of 20 mtrs. New hoardings shall not be permitted on religious places, Structures / buildings in Heritage Precincts and heritage importance as per D.C.R. Rule 48(3). In crematorium / burial grounds the hoardings permission if admissible as per present guidelines may be given only adjoining to compound wall and parallel to road. Considering the interest of public safety, no new permission for hoarding shall be granted or renewed without proper scrutiny of Structural Stability Certificate for hoarding structural stability certificate of building from Government or Municipal Licensed Structural Engineer.

Till further orders, there is no permission for display of political banners, birthday greeting, anniversary greetings, etc. on Municipal Roads, and footpath hereafter as per Hon'ble High Court's orders.

The, unauthorized Banners, Posters, Cut Out etc displayed on Roads & Footpath in the city of Mumbai are being immediacy removed by the Encroachment Removal section of Licence dept. with the help of Advertisement Inspectors working at ward level.

**Sd/-**

**Supdt. of Licence**