

# **State Business Reform Action Plan -2019 Implementation Guide for States/UTs**

February 2019



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## **Part I: Introduction**

Department for Promotion of Industry and Internal Trade (DPIIT) has spearheaded a dynamic national level exercise that commenced in 2014 to rank all the States/UTs in the country on the reforms undertaken by them on designated parameters. The aim of this exercise is to create conducive business environment by streamlining regulatory structures and creating an investor-friendly business climate by cutting down red tape.

India being a federally structured nation, States/UTs play a vital role in promoting investor confidence. The process of assessing State level reforms has been a journey of evolution as the process has matured with the passage of time and is an ongoing process.

In 2014, the representatives of the State Government identified reforms to be undertaken by them and a new measure of competitiveness was initiated. Subsequently, a report titled “Assessment of State implementation of Business Reforms” was released in September 2015 capturing the findings of reforms implemented by States/UTs.

To give this exercise momentum, 18 joint workshops were conducted in partnership with the World Bank Group to help States/UTs to better understand the essence of these reforms.

In 2016, DPIIT released a 340-point action plan which was drafted in consultation with all States/UTs. It included recommendations on 58 regulatory processes, policies and process spread across 10 reform areas spanning the lifecycle of a typical business. Such an action plan was the first of its kind in India which promoted both competitive and cooperative federalism among the States/UTs.

To streamline inspections and set the nation free from ‘inspector raj,’ best practices have been studied across 10 different countries. Based on these best practices several reforms were enlisted that were successfully implemented by 18 States/UTs in 2016.

Consequently, an online portal ([www.eodb.dipp.gov.in](http://www.eodb.dipp.gov.in)) showcasing dynamic real time rankings was developed and launched in April 2016 which is the first such platform for knowledge sharing on regulatory compliance requirements across States/UTs in the country.

Final ranking of States/UTs on implementation of the 340 points were released in November, 2016. The national implementation average stood at 48.93% significantly higher than 2015’s national average of 32% and 12 States achieved more than 90% implementation score.

BRAP 2017-18 was updated to 372 action points with addition of new sectors such as Healthcare and Hospitality, Central Inspection system, Trade License, Registration under Legal Metrology, and Registration of Partnership Firms & Societies.

An important addition to methodology under BRAP 2017-18 was the inclusion of feedback exercise where feedback was sought on 78 reform points from actual users of new system. The respondent data in various categories was provided by the States/UTs.

DPIIT proposes to undertake a 100% feedback based assessment on all reform points under BRAP 2019. With regard to the 2019 plan, this guide has been produced to support States and Union Territories in implementing the Business Reform Action Plan (BRAP) 2019, circulated by DPIIT vide email dated 11<sup>th</sup> October 2018.

This guide is intended to discuss the objective and end-result envisioned in each of the 80 action points identified in BRAP. It is believed that the guide will allow States/UTs to understand requirements for implementation and help them in identifying the measures that should be taken to achieve the objectives of the Action Plan. The guide will also help in understanding the evidence that needs to be submitted for each reform.

This guide is divided into 12 sections, each focusing on one of the 12 areas of BRAP 2019. **The last date for implementation of reforms is 31<sup>st</sup> March, 2019.**

Ravinder  
Joint Secretary,  
Department for Promotion of Industry and Internal Trade

4<sup>th</sup> February 2019

## **Part II: Points to note on submission of evidence**

Please take into consideration the following points while preparing and uploading evidence on the Business Reform Action Plan portal.

1. Clearly highlight the reform number and question as given on the BRAP portal in the evidence.
2. The submission made by the State/UT on a recommendation (reform measure) must be comprehensive and complete in itself. Since reforms are being evaluated individually, evidence must not refer to evidence/remarks submitted in any other recommendation.
3. Unless a reform was approved under BRAP 2017-18, States/ UTs have to submit evidence on the portal. Response to a clarification sought by DPIIT should be complete in itself and should also include all relevant evidence submitted previously.
4. Office Orders/Circulars/Notifications to implement a reform would be considered only when signed and issued on or before **31<sup>st</sup> March, 2019**.
5. The URLs/links submitted as evidence should direct to the exact link on the portal and not to the homepage of portal.
6. In many instances, DPIIT has noted that the links/URL provided by States/UTs as evidence did not work. Hence, all States/UTs are requested to check all the evidences (i.e., links and documents) before and after uploading to make sure they are complete and functional.
7. Only fully operational systems will be considered and systems in pilot phase will not be considered.
8. In case multiple documents have to be included in the evidence, they must be combined into a single PDF document and uploaded.
9. Evidence should be submitted only in English (preferably) or Hindi, in case of usage of other languages, translation in either of the two languages may please be provided.
10. While submitting evidence of implementation of online systems, State Governments/UT Administrations are encouraged to provide following evidences (any one):
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system
  - c) Dummy ID to check the functionality

## Part III: Implementation Guide

### 1. Access to Information and Transparency Enablers

#### Information Wizard

**Recommendation 1:**

Develop an online information wizard with the following features:

- i. The information wizard should provide a comprehensive list of licenses, registrations required for undertaking a specific business (pre-establishment & pre-operation).
- ii. Provide links to online application forms for licenses/ NOCs required by users and their relevant notifications wherever necessary (pre-establishment & pre-operation).
- iii. Provide details such as time taken, procedures, comprehensive list of documents required, Departments involved.

Areas to be covered are as follows:

- Land related services - Property registration, Land allotment process
- Environmental registration (CTO/ CTE under Water Act 1974 and Air Act, 1981, Authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016)
- Construction permit requirements (Building plan approval, plinth inspection process and process for obtaining Completion/Occupancy certificate, NoCs required for construction)
- Registration under labour laws as listed in Reform point 46
- Utility permits requirement (Electricity, Water)
- Incentives provided by the State Government

**Objective:**

- An investor/ entrepreneur should have information about all clearances/ approvals required to set up a business, to avoid running around to get such information.
- Information Wizard is an interactive tool that guides a user/investor by asking a series of questions to provide information about the sector applicable regarding licenses/ NoCs/ permits required at the pre-establishment and pre-operation stages of establishing a business.

**Feedback:**

- The respondents will be asked whether they had to apply for any clearances that was not indicated in the list generated by the Information Wizard.



**Points to note for implementing reform:**

- Information should be customized according to the needs of the investor/ entrepreneur based on sector/ size/ nature of the proposed enterprise.
- The list should be comprehensive so that entrepreneur does not face any surprises in future about not getting certain clearances.

**Points to note for uploading evidence:**

Evidence must showcase:

- Linking of the details such as time taken, procedures, Departments involved, documents required and cost involved against all the services.
- Linking of notifications wherever required (notification such as tabulating types of industries based on risks).
- Direct link to the application portal wherein the investor can directly apply.

**Investor Facilitation Center**

**Recommendation 2:**

Establish a formal investors' facilitation center/bureau in State for investment promotion, industrial facilitation, regulatory reforms and obtaining user feedback.

Define working procedures such as

- i. Queries regarding the application to be recorded,
- ii. All queries must be addressed within a timeline of 15 days

**Objective:**

- Effective investment promotion and facilitation aids in attracting new investments in the States/UTs and retain existing ones.
- Purpose of setting up of facilitation center is to create a single point of contact for investors/ entrepreneurs in case of any queries that the Information wizard cannot respond to. Investors can approach such centers to clarify their doubts or to seek status of their application.

**Feedback:**

The respondents will be asked whether the information provided by such centers were accurate and were successful in addressing the queries.

**Points to note for implementing the reform:**

The facilitation center must be set-up through a legislation since the investor facilitation center/bureau's ability to resolve problems is related to its legal status, mandate and location within Government.

**Points to note for uploading evidence:**

- Share a scanned file of the legislation/ legal mandate so passed by the State/UT.
- Provide details of query management (ticketing, etc.) and the entire process.

- Details of various functions of the center should be mentioned clearly in the evidence submitted.

### **Timelines for Approvals/ Registrations/ Licenses/ Renewals**

#### **Recommendation 3:**

Ensure timelines are specified for the following services:

- i. Property registration process (deeds are registered on the same day of the appointment)
- ii. Land allotment process
- iii. Consent to Establish and Consent to Operate under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981
- iv. Authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016
- v. Registration and grant and renewal of license under The Factories Act, 1948
- vi. Approval of plan and permission to construct/extend/or take into use any building as a factory under the Factories Act, 1948
- vii. Registration and Renewal of Boilers & Approval for boiler manufacturers and renewal under The Boilers Act, 1923
- viii. License and renewal of license for contractors under provision of The Contracts Labour (Regulation and Abolition) Act, 1970
- ix. Registration and renewal under relevant The Shops and Establishment Act
- x. Registration of principal employer's establishment under provision of The Contracts Labour (Regulation and Abolition) Act, 1970
- xi. Registration under The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996
- xii. Registration of establishment under the Inter State Migrant Workmen(RE&CS)Act,1979
- xiii. Registration/ Licenses and renewal (wherever applicable) under the Legal Metrology Act, 2009
- xiv. Obtaining water connection
- xv. State Excise and Profession Tax
- xvi. Registration of Partnership firm
- xvii. Registration of Societies
- xviii. Trade License
- xix. Incentives provided by the State Government
- xx. Drug License

**Objective:**

- The promptness with which a service is provided increases investor confidence. Therefore, providing a timeline gives an indication to the investor about the time frame within which service will be provided.
- Through a formal legislation, States/UTs should notify the timelines for the above listed approvals/ licenses. The legislation should also address cases where the approval is provided beyond the stipulated time through requisite punitive measures.
- Applicant can approach the investor facilitation center to raise concern if the approval is not given timely.

**Feedback:**

- The respondents will be asked whether they got the service within the stipulated time as mentioned in the Information Wizard.

**Points to note for implementing the reform:**

- A legislation like a Public Service Guarantee (PSG) Act or equivalent Act should be passed by the State/UT to ensure that approvals/ licenses are provided in a timely manner.
- Where equivalent legislations other than PSG have been created, clear punitive measures must be specified accordingly.
- The timelines of the above approvals/ licenses should be depicted on the Information wizard so created for the benefit of the investors.

**Points to note for uploading evidence:**

- The stipulated time for providing the approval/ license should be clearly shown on the information wizard without the mention of any Act/ Rules/ Charter.

## 2. Single Window System

### Online Single Window System

**Recommendation 4:**

Implement an online single window system with the following features:

- i. Allow online submission of application without the need to submit physical copies of the application
- ii. Eliminate physical touch-point for document submission and verification
- iii. Allow applicant to track status of application online
- iv. Ensure the applicant receives an SMS/e-mail notification as and when the application is submitted and/or query is raised and/or application is approved/rejected

- v. Service wise approvals may be granted as and when received from the Department concerned
- vi. Mandate that all queries/clarifications related to investors' application are sought in one go and within 7 days of receipt of the application

**Objective:**

- An investor/ entrepreneur should be able to apply for all the licenses/approvals through the State's online single window portal.
- An investor should not be required to visit any Department portal individually to find out from where to get the requisite approval.

**Feedback:**

- The respondents will be asked whether they could apply for all the required registrations/approvals from any Department through the State's online Single Window portal.

**Points to note for implementing reform:**

- States should have a robust online single window system where all the applicants can apply for requisite registrations/licenses online.
- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- Once the applicant logs in to the single window portal, he/she should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently.
- Single Window System should be integrated with SMS gateway/ emails so that applicant gets notification at every critical stages of application processing.
- The approvals/rejections should be conveyed to the applicant immediately on receipt from the Department concerned. For instance, if the applicant has applied for 4 registrations on the single window portal and the approval by Labour Department is given in 3 days; it should be given to the applicant immediately without waiting for other 3 approvals.
- The query/clarification raised by the reviewing/approving officer after submission of the application should be raised only once and the timeline for raising the query should be 7 days from the date of submission of the application. All Departments where the application has been made should consolidate their queries within 7 days of receipt of application and raise it to the applicant through the portal at once. Clarifications on the first time queries may be raised but no new query will be raised.

- For the functions of the single window system State/ UT has the option to utilize the Investment Facilitation Centre so created rather than setup a separate single window agency.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Pre-establishment Approvals/ Pre-operation Approvals /Renewals**

**Recommendation 5:**

Ensure that the following approvals are provided as a service through the online single window system

- i. Registration under Profession Tax
- ii. Consent to Establish under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981
- iii. Change of land use
- iv. Allotment of land in Industrial Area
- v. Registration and grant of license under The Factories Act, 1948
- vi. Electricity connection
- vii. Water connection
- viii. Registration under the relevant Shops and Establishments Act
- ix. Registration under The Boilers Act, 1923
- x. Consent to Operate under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981
- xi. Authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016
- xii. Registration certificate of Establishment Inter State Migrant Workmen (RE&CS) Act,1979 (License of Contractor Establishment)
- xiii. Permission for engaging contractor for labour under The Contracts Labour (Regulation and Abolition) Act, 1970
- xiv. Registration under Legal Metrology Act, 2009
- xv. Renewal of license under The Factories Act, 1948
- xvi. Renewal of Registration under The Boilers Act, 1923

**Objective:**

- An online single window portal should provide at least the above mentioned services to facilitate investors.

**Feedback:**

- The respondents will be asked whether there was any service that was not provided on the State's single window portal. Hence, it is important that State should provide for a holistic list of approvals/registrations online.

**Points to note for implementing reform:**

- A comprehensive single window system should provide at least above mentioned Consent/ Authorization / Registration/ Permission/ Incentives/ License/ Approval/ NOC/ Renewal services.
- These approvals should have facility for application submission, making requisite payments, tracking of status of application, approvals and issuance of the certificate(s) through the single window portal.
- The applicant should be able to make the application in the single window system directly.
- This system should be able to help investors who need to make bulk applications for various registrations or licenses. An investor should be able to select the desired services on the single window system and apply for all of them through a Common Application Form (CAF).
- The change in land use is for unplanned areas.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/ approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Incentives under Single Window**

**Recommendation 6:**

Provide the following features for application of incentives through online single window system:

- i. Ensure application for all applicable incentives under prevailing industrial/ sectoral policies is made available on the single window system for issuance of intent letter, sanctions and disbursement of incentives
- ii. Eliminate the need of physical touch-point for document submission and verification

**Objective:**

- The main aim is to ensure online availability of an exhaustive list of State specific incentives to the investors so that they are aware about the incentives they may avail.
- Further, the entire process from filing of application to grant of approval/certificate/NOC should be made available online.

**Feedback:**

- The respondents will be asked whether there was any incentive that was not provided on the State/UT's single window portal. Hence, it is important that State/UT should provide for a complete list of incentives online.

**Points to note for implementing reform:**

- The applicant should be able to apply for all the incentives/grants that are available under the State/UT industrial/sectoral policies through the single window portal.
- The entire process of application, issuance of intent letter and grant of sanction and disbursement of incentive should be available through the State/UT's single window portal.
- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision.
- Applicants should not be required to be physically present for submission and verification of documents before the certificate/ approval is issued. Applicant can use digital signature certificates to submit their documents through the online system.
- Online payment gateway should be integrated with the application system.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of



application and obtaining approval/registration certificate should be shared in the evidence.

- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

### 3. Land administration and Transfer of Land and Property

#### Maintenance of land records

##### **Recommendation 7:**

Digitize land transaction deeds of last 10 years at all sub-registrar offices and make the same available on an online system to check for ownership details and history. The metadata shall be searchable for each record and a soft copy of the registered deed shall be available. The searchable metadata available shall be:

- i. Name of buyer
- ii. Name of seller
- iii. Survey no.
- iv. Registration number
- v. Registration date

##### **Objective:**

- Digitized land records across various State/UT Government Agencies can be beneficial in increasing the efficiency and effectiveness in property registration and maintenance.
- The main aim is to digitize land ownership records at the sub-registrar i.e., land transaction deeds including sale deeds, transfer deeds, lease deeds, etc., so that:
  - Allows prospective land buyers to easily verify land ownership and encumbrance thereon while purchasing of immovable property.
  - Allows prospective land buyers with a single point of contact to determine land ownership by checking the required historical documentation.

##### **Feedback:**

- The respondents will be asked whether they could determine land ownership by checking the required historical documentation for last 10 years.

##### **Points to note for implementing the reform:**

- Digitize land transaction deeds of past 10 years (2009-2018) across all sub-registrar offices in the State/UT.
- The digitization to be such that a record can be searched using the mentioned metadata. Also, soft copy for all records should be made available for download.
- The online system should be functional and not be in development stage.



**Points to note for uploading evidence:**

- The evidence should clearly show that land transaction details going back 10 years are available in the system.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of the searchable metadata facility and download facility should be shared in the evidence.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Recommendation 8:**

Digitize and publish the updated Record of Rights (RoR) at all Revenue Department offices online in public domain for all areas of the State/UT. The searchable metadata available shall be:

- i. Name of buyer
- ii. Name of seller
- iii. Date of mutation
- iv. Survey no.

**Objective:**

- The main aim is to digitize Records of Rights (textual) (including *Khatoni*, *Khasra*, Mutation Register, Village/ Tehsil / District Note Book) at all Land Records Offices in the entire State/UT which would ensure the requisite information on ownership is available for pre-mutation verification of land transactions. In case the name of buyer and seller are not available, the record should reflect the current ownership details.

**Feedback:**

- The respondents will be asked whether latest data on Record of Rights is available in public domain.

**Points to note for implementing reform:**

- Make available updated RoR of the entire State/UT in searchable format.
- The online system should be functional and not be in the development stage.

**Points to note for uploading evidence:**

- The evidence should clearly show that the RoR details are available in the system
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of the searchable metadata facility should be shared in the evidence.

- Ensure that the URL for the website submitted as evidence is operational.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Recommendation 9:**

Digitize and publish data of Property Tax payment dues online in public domain for all the Urban Local Bodies (ULBs) in the State/UT. The searchable metadata available shall be:

- i. Name of the Property tax payer
- ii. Property Tax dues
- iii. Survey no. of land / Unique Identification no. of property

**Objective:**

- The main aim is to digitize records of liability towards property tax at all local municipalities of the State/UT which would clearly indicate the encumbrances on the property. In case of State/UT where land record do not cover urban property, Municipal tax records represent the prima facie ownership/occupancy of the immovable property.

**Feedback:**

- The feedback survey respondents will be asked if they were able to check Property Tax encumbrance (for properties not owned) in public domain.

**Points to note for implementing reform:**

- The digitization should be such that the requisite data can be searched using the mentioned metadata.
- The data should be available in searchable format according to the criteria as mentioned above.

**Points to note for uploading evidence:**

- The evidence should clearly show the details which are available in the system.
- It must be clear from the evidence that the reform has been implemented in all ULBs across the State/UT.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of the searchable metadata facility should be shared in the evidence.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Recommendation 10:**

Digitize cadastral maps of all rural areas in the State/UT and make them available in public domain.

**Objective:**

- The main aim is to digitalize cadastral maps (spatial records) of all rural areas in the State/UT so that actual land may be matched with the ownership/occupancy record. Though it is not made a compulsory feature in marking scheme, a system based coordinates should be preferred.

**Feedback:**

- The respondents will be asked whether they were able to access the digitized cadastral map for rural areas in public domain.

**Points to note for uploading evidence:**

- If State/UT has imposed a reasonable fee for giving copy of the cadastral maps, it has no impact on the assessment.
- Evidence must have links of the system through which cadastral maps can be accessed and the reform will be considered as implemented only when all rural areas in the State/UT have been mapped.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Recommendation 11:**

Integrate the below-mentioned records on one website:

- i. Data of land transaction deeds for last 10 years at all sub-registrar offices (Name of buyer, Name of seller, Registration number, Registration date, Survey no.),
- ii. Updated Record of Rights at all Revenue Department offices (Date of mutation), and
- iii. Data of Property Tax payment dues at all urban areas of the State/UT (Name of the Property Tax payer, Property Tax dues)
- iv. Revenue Court case data (Court case number, Name of parties involved, Date of filing of court case, Status of case [Ongoing/Resolved])
- v. Civil Court case data (Court case number, Name of parties involved, Date of filing of court case, Status of case [Ongoing/Resolved])

The website shall be publicly accessible. It will help in establishing property ownership and identify tax encumbrances. The integration shall be done for all areas of the State/UT.

**Objective:**

- The aim of the single integrated portal is to allow real-time access of updated data from all relevant land related Agencies.

**Feedback:**

- The respondents will be asked about, how many of the following types of records are available and integrated in the portal:
  - Land registration
  - Record of Rights
  - Property tax payment dues
  - Revenue Court cases on the property
  - Civil Court cases on the property

**Points to note for implementing reform:**

- The systems at all Agencies should be integrated in a manner that allows all transactions for a given piece of land to be reflected in the search on a simple metadata, thus providing the Government as well as potential buyers with a clear indication of land ownership.
- All the above 5 categories of information should be available through a single portal.

**Points to note for uploading evidence:**

- The evidence should clearly show the details which are available in the system for all 5 records.
- Evidence must clearly show integration of updated land records with land transaction deed & revenue court and civil court databases along with property tax data.
- The details mentioned in the recommendation against each type of record should be highlighted in the evidence.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Property Registration - Online systems**

**Recommendation 12:**

Implement an online application system having the following features

- i. Mandatory online application submission including submission of draft deed and other documents
- ii. Provision of online payment of Stamp duty and Registration fee

iii. Auto generation of appointment date and time on making the payment of Stamp duty and Registration fee

**Objective:**

- The above reform seeks to put in place an online system for application payment and auto generation of appointment date and time.

**Feedback:**

- The respondents will be asked whether they were able to complete application process online without visiting the Sub-Registrar Office. They will also be asked whether the date and time of appointment with Sub-Registrar office was provided automatically without a follow-up.

**Points to note for implementing reform:**

- The State/UT should design and implement an online system for property registration.
- Users should be able to fill-in and submit/upload the application form, draft deed and other documents online.
- The online payment gateway for Stamp duty and Registration fee should be integrated with the application system.
- The system should have a provision for scheduling appointments online or auto generation of appointment. It should also have a facility to modify such schedules.
- There should be no physical touch-points between the applicant and Department from the time of application process till the actual date of appointment.

**Points to note for uploading evidence:**

- For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, making online payment of Stamp duty and Registration fee & auto generation of appointment dates should be shared in the evidence.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Recommendation 13:**

Provide model deed templates for sale, gift, lease, mortgage and rent in downloadable and editable format along with instructions to use them.

**Objective:**

- Availability of downloadable and editable format of model deed templates for sale, gift, lease, mortgage and rent along with clear instruction to use them will allow the user to draft their deeds and make changes without requiring the help of any broker.

**Feedback:**

- The respondents will be asked whether there was any model deed templates for sale, gift, lease, mortgage and rent available in downloadable and editable format on the website of Department of Stamps and Registration.

**Points to note for uploading evidence:**

- Evidence must have the link to the website where these model deed templates are available.

**Mutation of land records**

**Recommendation 14:**

Integrate the mutation process with the registration process and mandate initiation of mutation process (Revenue Department and/ or ULB) as soon as a deed is registered. Ensure that:

- i. Information to mutation authority to be automatically shared on completion of transaction (registration). This shall be considered as initiation of mutation process.
- ii. No separate application from transferee to be required.
- iii. SMS/email shall be sent to transferee/ transferor to inform about the initiation of mutation

**Objective:**

- The main aim is to reduce interfaces between the user and the State/UT Government and thus promote greater transparency. It will also help in reducing the time taken for mutation after registration.

**Feedback:**

- The respondents will be asked whether they received an intimation informing start of mutation proceedings or they had to make a specific application to initiate the mutation process.

**Points to note for implementing reform:**

- This integration includes not only the data-sharing, but also focuses on process integration. Once deeds for property sales are registered, the online system should automatically intimate the relevant agency (Land Records Office) and the mutation process should be initiated as soon as this intimation is received.
- State/UT must pass the requisite circular stating that the mutation process should be initiated as soon as they receive information, without the need for separate application for mutation, from sub-registrar about the deed registration.

**Points to note for uploading evidence**

- Evidence should show the complete process including automatic notice generation and intimation of notice to circle office for mutation.
- The circular so passed by the State/UT should be shared.

## 4. Land availability and allotment

### Availability of Land and infrastructure

**Recommendation 15:**

Provide data of all land banks in State/UT-owned industrial estates (estate-wise) on one online system/ portal in public domain

**Objective:**

- The main aim is that the users should be able to access all the information they need to apply for land parcels (Industrial) from the website of the Department.

**Feedback:**

- The respondents will be asked whether they had access to all the information they need to apply for land parcels (Industrial) from the website of the Department whether they had to approach any authority for getting complete information to fill the application.

**Points to note for implementing reform:**

- List all the land available in the State/UT for industrial use, along with their respective areas on website.
- The system so developed should have a feature to filter land parcels with the type of industries that can be set-up on such land.

**Points to note for uploading evidence**

- Screenshots of website showing steps to navigate to the page having data of land banks should be shared in the evidence.
- URL of the website should be shared in the evidence.

**Recommendation 16:**

Develop a GIS system for displaying availability of land and infrastructure in which the following features are present:

- i. Displays details about all State/UT-owned industrial estates along with the prevailing land rates
- ii. Provide details about available connectivity infrastructure (including road, rail, airports), utility infrastructure (including electrical substations) and other infrastructure (including police station, fire station) for all State-owned industrial estates

**Objective:**

- Users should be able to access online (available in a GIS system) data of land plots offered by the Government for industries.

**Feedback:**

- The respondents will be asked whether they can access (available in a GIS system) data of land plots offered by the Government for industries online and whether the rates of allotment were available.

**Points to note for implementing reform:**

- The GIS system should display all the land banks earmarked for industrial use in the State/UT and should have information of the prevailing circle rates.
- The GIS system should provide layers of infrastructure details to be placed upon the geospatial maps to comprehensively highlight the transport and logistics infrastructure (including roads, rail lines and stations, ports, airports) and utility infrastructure (including electricity substations and lines, water pipelines, sewerage lines, gas pipelines) available in the land parcels shown.
- The State/UT may have a system of auction of land parcels. In such a case, the data and all relevant information for participation in action should be made available on the website.

**Points to note for uploading evidence**

- Screenshots of the system showing steps to navigate to the maps of land banks should be shared in the evidence.
- Ensure that the URL for the website submitted as evidence is operational.
- Screenshots of the system showing usage of layers on the maps of land banks should be shared in the evidence.

## Land Allotment

**Recommendation 17:**

Implement an online application system with the following features:

- i. Mandate online application submission (including supporting documents) and online tracking. Provision of online payment thereof. Ensure that the system allows the user to download legally valid approval certificate
- ii. Eliminate the need of physical touch-point for document submission and verification
- iii. Allow third parties to verify the final approval certificates in public domain

**Objective:**

- Users can apply for land plots offered by the Government for industries online, which will save time and help in improving transparency.



**Feedback:**

- The respondents will be asked whether such service could be availed online without physically visiting the Department for either submitting the application or processing of application including downloading of legally valid approval certificate.

**Points to note for implementing reform:**

- There should be no physical touch-points between the applicant and Department from the time of application process till the allotment of land parcel.
- The online payment gateway should be integrated with the application system.
- Where such transaction needs to be registered and lease deed needs to be executed, the same can be done offline.

**Points to note for uploading evidence**

- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online and online tracking of application including downloading of legally valid approval certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Recommendation 18:**

Define objective criteria applicable for all State-owned industrial estates for evaluating land allotment applications and publish it in public domain.

**Objective:**

- To ensure transparency and timely closure of land allotment applications by publishing it in public domain

**Feedback:**

- The respondents will be asked about the accessibility of the objective criteria of evaluation of land allotment applications from the website of the Department.

**Points to note for implementing reform:**

- The criteria for evaluating land allotment applications should be mandated through passing a notification or amendment applicable legislation.
- Mention the aforesaid criteria on the website of the relevant land allocation authority.

**Points to note for uploading evidence**

- Share the screenshot of the notification or legislation showing the section having the criteria.
- Share URL having the notification or legislation having the criteria.

## 5. Environment Registration Enablers

### **Consent to Establish /Consent to Operate [under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981]**

**Recommendation 19:**

Implement an online application system to obtain the above consents/ approvals with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

**Objective:**

- The reform is aimed at improving transparency and ensuring time bound delivery. The State/UT should design and implement a system for granting Consent to Establish and Consent to Operate [under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981].
- An investor/ entrepreneur should be able to apply for aforementioned services on the online application system without any physical touchpoints.

**Feedback:**

- The respondents will be asked whether they could apply for the required registrations/approvals through the online system in accordance with the provisions under this reform point and whether they were required to interact physically for such registration/approval.

**Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants must not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.

- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016**

**Recommendation 20:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

**Objective:**

- The reform is aimed at improving transparency and ensuring time bound delivery. The State/UT should design and implement a system for granting Authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

- An investor/ entrepreneur should be able to apply for aforementioned services on the online application system, without any physical touchpoints.

**Feedback:**

- The respondents will be asked whether they could apply for the required registrations/approvals through the online system in accordance with the provisions of this reform point and whether they were required to interact physically for such registration/approval.

**Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

## Environmental Registration Enablers

### **Recommendation 21:**

Notify a list of white category industries, which are exempted from taking clearances from State/UT Pollution Control Board.

#### **Objective:**

- The simplest approach to reduce the regulatory burden on businesses from environmental procedures and licensing is to introduce different approval and inspection regimes for different categories of pollution risk.
- White category industries, which are practically non-polluting should be exempted from SPCB clearance. This will reduce the regulatory burden on these businesses by removing the requirement to obtain Environmental Clearances (EC).

#### **Feedback:**

- The respondents to the feedback survey will be asked whether exemption has been granted for White Category Industries in accordance with the provisions of this reform point.

#### **Points to note for implementing the reform:**

- For White Category Industries, the State/UT should do away with pollution control board clearances/mandatory inspections and replace them with inspections which are only invoked in case there are specific complaints.
- The list of White Category Industries need to be mandated through appropriate notification, and be made available publicly.

#### **Points to note for uploading evidence**

- Notification which exempts industries and provides a list of industries under the White Category must be submitted.
- No draft notifications should be furnished as evidence. Evidence submission should only be done when the reform has been implemented by State/UT.
- Ensure that the URL for the website submitted as evidence is operational.

### **Recommendation 22:**

Issue Consent to Operate with a validity period of 5 years or above under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981

#### **Objective:**

- For State/UT Governments, issuing annual renewals imply repeated paperwork and recurring costs to carry out inspections and grant re-registration. In many cases, however, there are no changes in pollution levels or activities, thereby incurring

repeated costs for Department and entrepreneur. As such, an effective alternative is to issue Consents to Operate for longer durations.

**Feedback:**

- The respondents will be asked about the validity period of the CTO granted under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981 by the State/UT in accordance with the provisions of this reform point.

**Points to be noted for implementing reform:**

- To remove repeated cost of re-registration, States/UTs should issue Consent to Operate for longer durations (depending upon the pollution risk category of the industry), subject to the fact that there have been no changes in pollution levels or activities. Where there has been a change in pollution levels or activities, re-registration should be mandatory.

**Points to note for uploading evidence**

- Notification/ office order which provides for validity period of consent to operate being 5 years or above under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981 must be submitted.
- Note that no draft notifications should be furnished as evidence.
- Ensure that the URL for the website submitted as evidence is operational.

**Recommendation 23:**

Allow for auto-renewal of Consent to Operate (under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981) based on self-certification/third party certification.

**Objective:**

- The objective of this reform point is that the Consent to Operate under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981 should be auto renewed upon expiry of Consent to Operate.

**Feedback:**

- The respondents will be asked whether the State/UT has provisioned auto-renewal of Consent to Operate under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981 upon expiry of consent, without the requirement to re-apply in accordance with the provisions of this reform point.

**Points to be noted:**

- State/UTs should allow for auto renewal of Consent to Operate, subject to self- or third-party certification that there have been no changes in pollution levels or activities. This will require the issuance of a notification, as well as creation of necessary systems to process the submission of auto-renewal filings.
- If the State/UT wishes to pursue third-party certification instead of self-certification, the State/UT must not only issue a notification, but also lay out criteria for accreditation and empanelment of third-party service providers, as well as clearly lay out that, in the event of misrepresentation, the liability is shared equally between the entrepreneur and the certifying authority.

**Points to note for uploading evidence**

- Notification/ office order which provides for the auto-renewal of CTO (under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981) must be uploaded. Note that no draft notifications should be furnished as evidence.
- Ensure that the URL for the website submitted as evidence is operational.
- The entire process flow from submission of auto renewal filings till auto-renewal should be shown in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

## 6. Construction Permit Enablers

### Uniform Building Code

**Recommendation 24:**

Enact a comprehensive uniform building code/building by-law with the following features:

- i. Prepare a uniform building code. The State/UT may have separate sections within the uniform building code/ building by-law which are applicable to specific geographic areas or areas under administrative control of different agencies/ bodies
- ii. Applicable to all urban areas and industrial estates/parks in the State/UT
- iii. Provisions for risk-based classification of buildings
- iv. Accreditation programs and clear responsibilities for professionals including architects and engineers engaged in the construction process along with qualifications for accreditation under the program

**Objective:**

- Construction projects are subject to a wide variety of regulations and controls, often spanning a multitude of laws, regulations and notifications which are not available in

a single document. A comprehensive formal building code can unite regulations into a single document that outlines all requirements with which a building must abide.

- A risk-based building classification enables the introduction of a fast-track mechanisms for low-risk buildings, thereby allowing ULB officials to spend more time thoroughly reviewing and ensuring structural and public safety of higher risk buildings.
- A project that is staffed with accredited architects and structural engineers is more likely to abide by construction and building safety requirements, and may require less scrutiny and review than projects staffed by unaccredited professionals. This allows the ULB to dedicate its limited human resources to ensure the quality of high-risk buildings while remaining relatively reassured that other buildings are being built responsibly by accredited professionals.

**Feedback:**

- The respondents will be asked to confirm the presence of features like uniformity, coverage across the State/UT, risk based classification and accreditation programs in the building code/ by-law.

**Points to note for implementing reform:**

- The building code may have dedicated sections which are applicable to specific areas to accommodate diverse regions within the State/UT. But, the building code should be applicable to all urban and industrial areas in the State/UT.
- Draft building codes/ building by-laws will not be accepted as evidence of implementation of the reform.
- All provisions mentioned above must be part of the uniform building code/ building by-law.

**Points to note for uploading evidence:**

- Ensure that the URL for the website submitted as evidence is operational.

**Master Plans**

**Recommendation 25:**

Develop Master plans/Zonal plans/land use plans with legal sanction for all urban areas and make it available online in public domain.

Plans for urban areas which designate spaces for commercial, residential and other use within urban areas.

**Objective**

- Master plans/Zonal plans/land use plans can provide all parties in construction projects with clarity on the kinds of buildings allowed in certain areas, and allow land owners to understand type of buildings can be built on their land.



- Once these plans are published online, users are able to access this information easily and take effective decisions when designing building projects. Plans that are tied effectively to building codes, or clearly outline the building restrictions or conditions on specific projects can help reduce the burdens faced by ULBs by reducing the number of ineligible or incorrect building plans for construction projects.

**Feedback**

- The respondents will be asked if Master plans/Zonal plans/land use plans exist for all urban areas of the State/UT and whether they are accessible online.

**Points to note for implementing reform:**

- The evidence must clearly show that the plans have legal sanctions and are not draft plans which are yet to be adopted by relevant authorities.
- All urban areas in the State/UT must have master plans/zonal plans/land use plans

**Points to note for uploading evidence:**

- Ensure that the URL for the website submitted as evidence is operational.

**Construction Permit Approval**

**Recommendation 26:**

Mandate timelines such that the following approvals/ NOCs are provided within 45 days:

- i. Building Plan approval is provided within 30 days
- ii. Plinth Inspection is done within 7 days of intimation
- iii. Final Completion/Occupancy Certificate is provided within 8 days ( 7 days for inspection + 1 day for issuing the certificate)

**Objective:**

- The time-bound grant of the approvals/ NOCs in the three key stages of construction of the building i.e., building plan approval, plinth level inspection and grant of completion/ occupancy certificate will ease planning for construction.
- Respective Departments/ Agencies will be bound to follow timelines, since not following the timelines will initiate penal action as mandated in the relevant legislation/ regulation.

**Feedback:**

- Each respondent will be asked about the time taken for the approval of building plans to determine if the timelines are being followed at each stage during construction, as mentioned in the reform

**Points to note for implementing reform:**

- The timelines should be mandated for each approval as specified in the reform through requisite notification/ order passed by State/UT.

**Points to note for uploading evidence:**

- Ensure that the URL for the website submitted as evidence is operational.

**Recommendation 27:**

Design and develop an online single window system for granting construction permits with following functionalities:

- i. A common integrated application provided on the online single window system, for all internal and external agencies required to provide applicable NOCs/approvals (Fire Services, Water and Sewerage Department, Discoms, AAI, NMA, Forest, Labour, Factory Directorate)
- ii. Provision for making an online application with integrated payment without the need for a physical touch point for document submission and verification
- iii. The system shall allow auto scrutiny of building plans from compliance perspective according to the uniform Building Codes/Building By-law using AutoDCR (or similar) software
- iv. Provision for e-intimation of commencement of construction
- v. Provision for e-intimation of plinth level completion
- vi. Provision for online form for Completion/ Occupancy Certificate application with online payment of fee
- vii. Provision for online issuance of certificate of inspections
- viii. Provision for online issuance of digitally signed Completion/ Occupancy Certificate to the applicant

The time-bound grant of the approvals/ NOCs in the three key stages of construction of the building i.e., building plan approval, plinth level inspection and grant of completion/ occupancy certificate will ease planning for construction. Since they are granted by different Departments/ Agencies, the applicant may be required to submit documents and make payments for each separately.

**Objective:**

- An online single window for construction permits will help in streamlining the process for numerous approvals/ registrations/ NoCs that are required at various stages in the construction process. It will bring out overall efficiency in the process and providing clarity to applicants by bringing all requirements and applications on one portal.

**Feedback:**

- The respondents will be asked if they have availed these services on an online single window system for grant of construction permits. The follow-up question will be regarding other features like the common integrated form, upload of building plan for scrutiny, e-intimation for commencement and plinth completion, application for and download of completion/ occupancy certificate and online issuance of certificate of inspections. They will also be asked if any approval was required which was not integrated on the portal.

**Points to note for implementing reform:**

- The single window system must cover all NOCs/approvals that may be required for obtaining construction permits and cover all stages of the construction process. The single window system should not direct the user to other portals/ websites to apply for NOCs/ approvals.
- There must be in place a common integrated application process which will automatically load information already provided by the user.
- Applicants must not be physically present for submission and verification of documents before the certificate/ approval is issued. Submission of hard copies of application form or its annexures through post, courier or in personal will not be accepted. Instead, applicants/architects should be able to upload building plans as part of their online application. The system must automatically scan building plans and monitor compliance with the building by-laws and building codes in force. Building plans tend to be very large files, so the system must also include adequate storage space.
- All additional documents required for e-intimation process must be uploaded along with the intimation application. Once the application is received and processed any payment of requisite fee, further upload of documents/ undertaking must be done through the single window system.
- Application for Completion/ Occupancy certificate must be done through the system. The applicant should be able to download the final occupancy certificate from the online system.
- The inspection reports generated during building plan approval, plinth level inspection and Completion/ Occupancy stage must be available for download.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/ approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.

- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step wise)

**Recommendation 28:**

Mandate that a single, joint site inspection will be carried out by all concerned authorities such as Fire, Water and Sewerage, Electricity, Labour (such as Factory license) Department and other internal Departments responsible for granting construction permits in urban areas and IDCs.

**Objective:**

- At each stage during construction, inspections are conducted by multiple Departments and Agencies. Each additional inspection creates a compliance burden. A single, joint inspection by the concerned Departments and Agencies will help in reducing compliance burden and help speed up the construction process.

**Feedback:**

- The respondents will be asked if they received a joint inspection from relevant Departments/ Agencies for granting construction permits. If according to the respondents separate inspections are being conducted by Departments/ Agencies, the State/ UT will not receive points for the reform.

**Points to note:**

- A notification/ Government order mandating a single joint inspections by the required Departments and Agencies should be shared.

**Points to note for uploading evidence:**

- Ensure that the URL for the website submitted as evidence is operational.

**Recommendation 29:**

Implement a system which allows grant of approval to Low Risk buildings based on third party certification (during building plan approval and/or construction and/or completion stage) of structural design and architectural drawings across all urban areas and IDCs.

**Objective:**

- To reduce burden on ULBs of reviewing structural design and architectural drawings prior to approval, allow them to rely on the accredited professionals to ensure that the building by-laws are complied with in the construction process.

Once the State/UT has sufficiently strong accreditation and qualifications for architects and engineers that allows the ULBs to monitor quality of building processes, the State/UT can move to a more advanced model where building plans may be submitted on the basis of self-certification by these accredited professionals.

**Feedback:**

- The respondents will be asked if the provision for third party certification is available to them or not.

**Points to note for implementing reform:**

- The approval given through this process must be final and not provisional.
- A strong civil liability regime with requirement to obtain damage insurance can lead to better compliance. While this aspect will not be evaluated under BRAP 2019 it will help States/UTs in establishing a better construction permit regime.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- An Act/ notification/ Government order mandating approval based only on third party certification must be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step wise)

**Inspection by Building Proposal Office/ relevant agency as part of Building Plan Approval Process, Plinth Level Inspection and obtaining completion/occupancy certificate**

**Recommendation 30:**

Publish a well-defined inspection procedure, checklist on the Department's web site and mandate that inspections (except in case of complaint based inspections) shall be limited to the checklist

**Recommendation 31:**

Design and implement a computerized system which is capable of:

- i. Identifying buildings/areas that need to be inspected based on risk assessment
- ii. Computerized allocation of inspectors

**Recommendation 32:**

Mandate online submission of inspection report within 48 hours to the Department.

**Objective:**

- To reduce compliance burden during the construction process and reduce discretion of Departments/ Agencies with respect to inspections.

**Feedback:**

- The respondent will be asked if procedure and checklist are available online, if inspections are conducted in accordance with them and if inspection reports are available online or not. They will also be asked whether inspectors looked into issues not covered by the checklist.

**Points to note for implementing reform:**

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form should be published online on Department's website. The procedure can be supplemented with process maps if available; In any case, the details should be published explicitly and not refer to Acts or rules. Checklist must not be open-ended and avoid usage of phrases like “any other statutory clearances/licenses”, “any other document”, “others”, “such as”, “etc.”
- The inspectors should have an online workspace within the system where they can see their inspection workflows and submit their reports.
- A specific provision must be made by the State Government/ UT Administration or by the associated Agencies that inspection reports must be submitted within 48 hours, through a notification or circular. Inspection reports filed beyond 48 hours should be considered as invalid.

**Points to note for uploading evidence:**

- For procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.

- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step wise)

## 7. Labour Regulation Enablers

### Registration and grant and renewal of license under The Factories Act, 1948

#### **Recommendation 33:**

Introduce a provision for allowing the validity of license under Factories Act to be 10 years or more. The same should be applicable for renewed licenses also

#### **Objective:**

- The Factories Rules in various States/UTs grant license only for a year thus requiring renewal of license on year-on year basis which creates another layer of regulatory and cost burden on a factory owner/occupier.
- To ease the burden, factory license and its renewal can be issued for a period of 10 years. This will also reduce the cost associated with seeking annual renewal.

#### **Feedback:**

- The respondents will be asked whether the validity of their license under The Factories Act, 1948 is at least 10 years or more.

#### **Points to note for implementing the reform**

- A notification/amendment to existing Rules/Government order incorporating the aforementioned period should be shared in the evidence.
- The ideal system aims at eliminating requirement of renewal and verifying compliance through random inspection.

#### **Point to note for uploading evidence:**

- Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as a description for the purpose of implementation.
- No draft notifications should be furnished as evidence. Evidence is to be submitted by State/UT only when the reform has been fully implemented.

#### **Recommendation 34:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

**Objective:**

- Obtaining a license under the Factories Rules is seen as a time consuming process with the proposed owner/occupier of the factory being made to run from post to pillar to get the license. This leads to increased burden and also the cost associated with it for the proposed owner/occupier of the factory.
- In order to over-come the above, the State/UT should design and implement an online system for application for grant of license and renewal of the same under the applicable Factories Rules. The system should eliminate the requirement of physical touch-point for submission of documents.
- The move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

**Feedback:**

- The respondents will be asked questions relating to their experience and interaction with the Department during the application process. They will be asked whether they were required to interact physically for this registration.

**Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online along with required/supporting documents as per the Rules.
- There should be no physical touch-point(s) between the applicant and the Department from the time of submission of application till the final decision is communicated. Applicants should not be required to be physically present for submission and verification of documents till the certificate/approval is issued/rejected.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, subsequent to submission of the application, the Applicant should be able to check the status of the application. The tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.



- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

### **Approval of plan and permission to construct/extend/or take into use any building as a factory under the Factories Act, 1948**

#### **Recommendation 35:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

#### **Objective:**

- Approval of plan and permission to construct/extend/or take into use any building as a factory, as mandated in the Factories Rules of a State/UT is a fundamental requirement for setting-up/running a factory. Since the application process for obtaining a license to run a factory has been mandated to be online, as a supplementary step, the State/UT should also mandate that the application for approval of plan and permission to construct/extend/or take into use any building as a factory is also made online.
- This move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

#### **Feedback:**

The respondents will be asked questions related to their experience and interaction with the Department during the application process as per the reform point. They will be asked whether they were required to interact physically for this registration.

#### **Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online along with required/supporting documents as per the Rules.

- There should be no physical touch-point(s) between the applicant and the Department from the time of submission of application till the final decision is communicated. Applicants should not be required to be physically present for submission and verification of documents till the certificate/approval is issued/rejected.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online once the applicant logs into the online portal, subsequent to submission of the application, the Applicant should be able to check the status of the application. The tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Registration and Renewal of Boilers under The Boilers Act, 1923**

**Recommendation 36:**

Introduce a provision for third party certification for boilers during use u/s 34(3) of the Boilers Act, 1923, by authorising Boiler Operation Engineer (BoE) having the following qualification:

1. Graduate in Mechanical/ Production/ Power Plant/ Metallurgical engineering from a recognised institution; and
2. Minimum 5 years of experience in the field related to boilers

**Objective:**

- In the case of inspections of boilers, Departmental inspections can be substituted with third-party certifications. To enable this, the State/UT must not only issue a notification, but also lay out criteria for accreditation and empanelment of third-party service providers, as well as clearly lay out that, in the event of an accident, the liability falls equally upon the entrepreneur and the certifying authority. A draft notification with reference to third-party certification of boilers has already been circulated to States/UTs by DEPARTMENT FOR PROMOTION OF INDUSTRY AND INTERNAL TRADE so that States/UTs can easily adapt and issue the notification.

**Feedback:**

- The respondents to feedback survey will be asked question(s) whether they had option of third party certification for boilers during use u/s 34(3) of The Boilers Act, 1923.

**Points to note for implementing the reform**

- A notification/amendment to existing Rules/Government order incorporating the aforementioned provision should be shared in the evidence.

**Point to note for uploading evidence:**

- Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as a description for the purpose of implementation.
- No draft notifications should be furnished as evidence and to be submitted by State/UT only when reform is implemented.

**Recommendation 37:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application.
- ii. Eliminate physical touchpoint for document submission.
- iii. Allow option of online payment of application fee.
- iv. Allow applicant to track status of application online.
- v. Applicant can download the final certificate online.

**Objective:**

- Every owner of a boiler is required to register the boiler as per the Boilers Act, 1923. To bring ease in the process of registration of a boiler in a State/UT, the entire application and approval process along-with filing of requisite documents, drawings etc., mandated under the State/UT Rules should be online.
- This move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

**Feedback:**

- The respondents will be asked questions relating to their experience and interaction with the Department during the application process. They will be asked whether they were required to interact physically for this registration.

**Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online along with requisite documents, drawings etc., mandated under the State/UT Rules.
- There should be no physical touch-point(s) between the Applicant and the Department from the time of submission of application till the final decision is communicated. Applicants should not be required to be physically present for submission and verification of documents till the certificate/approval is issued/rejected.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online once the applicant logs into the online portal, subsequent to submission of the application, the applicant should be able to check the status of the application. The tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise).

## Approval for Boiler manufacturer and renewal thereof

### **Recommendation 38:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application.
- ii. Eliminate physical touchpoint for document submission.
- iii. Allow option of online payment of application fee.
- iv. Allow applicant to track status of application online.
- v. Applicant can download the final certificate online.

### **Objective:**

- An online system for approval and registration as a boiler manufacturer will be helpful in being a smoother and cost effective measure.
- This move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

### **Feedback:**

- The respondents will be asked whether they could apply for approval for boiler manufacturer and renewal through the online application system in accordance with the provisions of this reform point. They will be asked whether they were required to interact physically for this registration.

### **Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application till grant of registration/approval or rejection, as the case may be, should be clearly shown in the evidence. Link to the website for submission of online application should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- State/UT should ensure that the website URL which has been shared in the submitted evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**License and renewal of license for contractors under provision of The Contract Labour (Regulation and Abolition) Act, 1970**

**Recommendation 39:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application.
- ii. Eliminate physical touchpoint for document submission.
- iii. Allow option of online payment of application fee.
- iv. Allow applicant to track status of application online.
- v. Applicant can download the final certificate online.

**Objective:**

- An online application process for license and renewal of license for contractors will reduce the burden of filing and submitting multiple copies of the application form and requisite supporting document(s), easing the burden on the contractor or the establishment.
- This move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

**Feedback:**

- The respondents will be asked whether they could apply under The Contract Labour (Regulation and Abolition) Act, 1970 through the online application system in accordance with the provisions of this reform point. They will be asked whether they were required to interact physically for this registration.

**Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online.

- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for implementing the reform for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise).

**Registration and renewal under The Shops and Establishments Act**

**Recommendation 40 :**

- i. Eliminate the requirement of Inspection prior to registration
- ii. Ensure that the final registration is granted within one day from the date of application

**Objective:**

- Delay in issuing registration certificate leads to further delays in the business operations, thereby hampering the ability of the business to get operational in terms of getting bank loans, employ workers and generate income. Eliminating the requirement of inspection prior to registration and providing this registration in a single day may help reduce this burden significantly.

**Feedback:**

- The respondent to the feedback exercise will be asked questions in respect to the duration within which the registration was granted and at what stage of approval the premises were inspected.

**Points to note for implementing the reform**

- A notification/amendment to existing Rules/Government order eliminating the requirement of Inspection prior to registration and final registration being granted within one day from the date of application should be shared in the evidence. Verification of identity of applicants can be undertaken through online verification of PAN/Aadhaar/CIN.

**Points to note for uploading evidence:**

- A notification/ Government order eliminating requirement of Inspection prior to registration and grant of registration within one day should be shared in the evidence.
- No draft notifications should be furnished as evidence. Evidence is to be submitted by State/UT only when the reform has been fully implemented.

**Recommendation 41:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

**Objective:**

- An online system for registration under The Shops and Establishments Act will bring about faster approvals and the move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

**Feedback:**

- The respondents will be asked whether they could apply for registration through the online application system in accordance with the provisions of this reform point. They will be asked whether they were required to interact physically for this registration.

**Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online.



- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for implementing the reform for uploading evidence :**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise).

**Recommendation 42:**

Eliminate the requirement of renewal of registration.

**Objective:**

- Year-on renewals of Shops and Establishments lead to increase of costs in operational terms. Eliminating the said requirement will help in reducing this burden significantly.

**Feedback:**

- The respondents to feedback survey will be asked questions regarding requirement of renewal of registration under Shops and Establishments Act.

**Points to note for implementing the reform**

- A notification/amendment to existing Rules/Government order eliminating the requirement of renewal of registration should be shared in the evidence.

**Point to note for uploading evidence:**

- Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as a description for the purpose of implementation.
- No draft notifications should be furnished as evidence and evidence is to be submitted by State/UT only when reform is implemented.

**Registration of principal employer's establishment under provision of The Contracts Labour (Regulation and Abolition) Act, 1970**

**Recommendation 43:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

**Objective:**

- Registration as a principal employer via online system will ensure easy identification of the same in case of dispute and also bring about ease in the registration process.
- This move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

**Feedback:**

- The respondents will be asked whether they could apply for registration through the online application system in accordance with the provisions of this reform point. They will be asked whether they were required to interact physically for this registration.

**Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.

- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough.
  - b) Screenshots to prove the functionality of the system (Step-wise).

**Registration under The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996**

**Recommendation 44:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

**Objective:**

- Mandating online registration for establishments under The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 will help in smoother registration process.
- Further, the reform will help in easy identification of the registered establishment under the Act/Rules to ensure that the objective of the Act of regulating

employment and conditions of service of building and other construction workers and to provide for their safety, health and welfare measures and other matters connected there with or incidental thereto are met.

- The move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

**Feedback:**

- The respondents will be asked whether they could apply for registration through the online application system in accordance with the provisions of this reform point. They will be asked whether they were required to interact physically for this registration.

**Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.

- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough.
  - b) Screenshots to prove the functionality of the system (Step-wise).

### **Registration of establishment under the Inter State Migrant Workmen (RE&CS) Act, 1979**

#### **Recommendation 45 :**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

#### **Objective:**

- Any establishment/contractor proposing to employ interstate migrant workmen is required to be registered with the Department as per provisions of the Act/Rules. Such a prerequisite has been mandated to ensure that prescribed wage is paid and other employment conditions are met by the establishment/contractor.
- An online process for registration ensures smooth process for filing of the application form and requisite/supporting documents.
- The move towards IT driven systems and processes is aimed at boosting efficiency and transparency.
- The State/UT should design and implement a system for registration/ licenses (wherever applicable) and renewal under Inter State Migrant Workmen (RE&CS) Act, 1979.

#### **Feedback:**

- The respondents will be asked whether they could apply for registration through the online application system in accordance with the provisions of this reform point. They will be asked whether they were required to interact physically for this registration.

#### **Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the

certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.

- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough.
  - b) Screenshots to prove the functionality of the system (Step-wise).

**Labour Regulation-Enablers**

**Recommendation 46:**

Mandate online filing of single integrated return and applicable payments under following Labour Laws:

- i. The Shops & Establishment Act (as applicable)
- ii. The Boilers Act, 1923
- iii. The Factories Act, 1948
- iv. The Contracts Labour (Regulation and Abolition) Act, 1970
- v. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996
- vi. The Inter State Migrant Workmen (RE&CS) Act, 1979
- vii. The Payment of Wages Act. 1936
- viii. The Industrial Disputes Act, 1947
- ix. The Minimum Wages Act, 1948
- x. ~~The Employees State Insurance Act, 1948~~

- xi. The Maternity Benefit Act, 1961
- xii. The Payment of Bonus Act, 1965
- xiii. The Payment of Gratuity Act, 1972
- xiv. The Building and other Construction Workers Welfare Cess Act, 1996

**Objective:**

- Labour Departments are tasked with implementation and ensuring compliance of more than 40 different laws, and most, if not all, of these laws require the submission of returns and payment annually.
- From the perspective of an investor/entrepreneur, a single online integrated return under all Labour laws would greatly reduce the regulatory burden.
- From the Department's perspective, a single online integrated return will make it easier to capture data and consolidate the same about a firm, while also ensuring that it can use the data more effectively for developing effective risk profiles for inspections.

**Feedback:**

- The respondents will be asked whether online filing of single integrated return and applicable payments under Labour Laws applicable in the State has been introduced.

**Points to note for implementation:**

- A notification/ Government order mandating that integrated returns are filed under the above-mentioned laws should be shared in the evidence.
- The States/UTs may exclude the Act(s) under which there is no requirement to file return.

**Points to note for uploading evidence**

- Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as a description for the purpose of implementation.
- No draft notifications should be furnished as evidence and to be submitted by State/UT only when reform is implemented.
- Ensure that the website URL which has been shared in the submitted evidence is operational.
- The State should submit necessary evidence for non-applicability of the reform point.

## 8. Obtaining Utility Permits

### Obtaining Electricity Connection

**Recommendation 47:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee

iv. Allow applicant to track status of application online

**Recommendation 48:**

Reduce the number of mandatory documents required for obtaining the electricity connection to:

- i. proof of identity of the user
- ii. proof of ownership/occupancy (in case of owned/leased premise)
- iii. authorization document (in case of firm or company)

**Objective:**

- The main aim is to provide for an online system for obtaining electricity connection without the need to physically visit the Department.
- In an endeavor to ease the process, it is recommended to reduce the number of documents required for obtaining electricity connection.

**Feedback:**

- The respondents will be asked whether there was any document required other than the ones mentioned in the reform. Also, the respondent will be asked whether the entire process is online or was there any need to visit the Department.

**Points to note for implementing reform:**

- The State/UT should design and implement a system to obtain electricity connection.
- Users should be able to fill-in and submit the application form online. There should be no physical touch-points between the applicant and Department from the time of application process till the final decision, barring mandatory inspections/ site visits.
- Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.
- Once the applicant logs into the system, he/she should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently or show a clear status of approval/rejection.
- A large number of documents are usually required to obtain an electricity connection. The Distribution Companies should only ask for the listed documents as below.
  - i. Proof of identity of the user – Any of the photo identity proof like Driving license, Aadhaar Card, PAN Card, Passport should be accepted
  - ii. Proof of ownership/occupancy (in case of owned/leased premise)
  - iii. Authorization document (in case of firm or company)



**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of connection should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining final connection should be shared in the evidence.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Recommendation 49:**

- i. Ensure that the State/UT regulator publishes monthly data, regarding total duration and frequency of power outages online in public domain
- ii. Ensure Discoms display information on tariffs (in Rs. per kWh) and notify customers of change in tariff ahead of the billing cycle (for commercial and industrial users)
- iii. Discoms notify customers of planned outages (maintenance and load shedding) for next 1 month in advance

**Recommendation 50:**

Stipulate that charged electrical connections (for all voltages - Low/High/Extra High Tension) along with Chief Electrical Inspector General (CEIG) approval (wherever required) is provided within:

- i. Seven days (where no 'Right of Way' (RoW) is required)
- ii. Fifteen days where RoW is required from concerned agencies

**Recommendation 51:**

Allow users to pay electricity bills online

**Objective:**

- Data on past outages and planned outages are displayed on a portal so that the businesses can plan their work accordingly.
- Further, to ensure that businesses can plan ahead, it is important to provide online the current tariff details. Moreover, future changes in the tariffs should also be published online to help the businesses deal effectively with future price changes.
- The States/UTs should endeavor to reduce the timelines to provide the electricity connection (including CEIG and RoW approval).
- To ease investors, there should be a facility on the online system developed to help users pay the electricity bill online.

**Feedback:**

- The respondents will be asked whether the timelines for obtaining electricity connection were in accord with the mandated timelines. They will also be asked whether they are able to pay electricity bills online. Further, feedback will be sought to verify that existing tariffs, new tariffs, current and expected outages were displayed online.

**Points to note for implementing reform:**

- The State/UT regulator should publish the data regarding total duration and frequency of power outages in a month. This data should be updated every month on the Regulator's website.
- To enable businesses to forecast the cost of their energy consumption, a good practice is to make available existing tariffs on the DisCom's website in Rs. Per kWh. Further, commercial and industrial users should be notified of the change in tariffs ahead of the billing cycle.
- The DisCom should intimate the users about the planned outages (maintenance and load shedding) that is expected in the next 1 month in advance on its website. The DisCom should also inform the electricity regulator accordingly.
- It is recommended that charged electrical connections for industrial use should be obtained as per the following timelines:
  - Connections including CEIG approval (if required) upto 200 KVA to be provided within Seven days (where no RoW is required)
  - Connections including CEIG approval (if required) upto 200 KVA to be provided within fifteen days where RoW is required from the date of application for electrical connection.
- The case of virgin territory will not be considered for the evaluation. Virgin territory for these reforms means locations where a new line needs to be laid beyond 500 meters from the nearest available head.
- A Government order/Notification should clearly mention the threshold above which the CEIG approval is required by the applicant. The Government notification should also mention the timeline for electricity approval with or without CEIG and RoW approval.

**Points to note for uploading evidence:**

- Ensure that the URL for the website submitted as evidence is operational.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

## Obtaining Water Connection

**Recommendation 52:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online

**Recommendation 53:**

Display information on tariffs (in Rs. per kL) and notify customers of change in tariff ahead of the billing cycle (for commercial and industrial users)

**Recommendation 54:**

Allow users to pay water bills online

**Objective:**

- Users should be able to fill-in and submit the application form online
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision, barring mandatory inspections/ site visits.
- Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.

**Feedback:**

- The respondents will be asked whether they could avail the services online (for application and payment of bills). They will also be asked whether they were able to access tariff information online.

**Points to note for implementing reform:**

- The State/UT should design and implement an online system to obtain water connection.
- Once the applicant logs into the portal, he/she should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently or else show a clear status of approval/rejection.
- To ensure transparency on tariffs and to enable businesses to forecast the cost of their water consumption, existing tariffs should be available online (in Rs. per kL). Further, for commercial and industrial users, consumers should be notified of the change in tariff ahead of the billing cycle.

- There should be a facility on the online system developed to help users pay the water bill online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of connection should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining connection should be shared in the evidence.
- Evidence maybe submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

## 9. Paying Taxes

### Tax enablers under the State/Union Territory Goods and Services Tax Act (GST)

**Recommendation 55:**

Set up service centers to assist taxpayers for e-filing of returns under the State/Union Territory GST Act

**Recommendation 56:**

Establish a helpline providing basic services such as assisting users in preparing and filing returns under the State/Union Territory GST Act

**Objective:**

- E-filing service centers can be an effective mechanism to assist tax payers to make the transition from manual filing and payment. These centers can assist taxpayers for e-filing of returns under the State/Union Territory GST Act, thereby allowing greater use of the online system. Wide availability of such centers can also increase adoption of online filing and payment mechanism.
- A helpline number can provide real-time information and support to users. The State/UTs should establish a helpline providing basic services such as assisting users in preparing and filing returns under the State/Union Territory GST Act.

**Feedback:**

- The respondents will be asked whether State/UT has setup e-filing service centers to assist taxpayers in preparing and filing returns under the State/UT GST Act.

- The respondents will be asked about the helpline setup by the State/UT, to examine its functionality in accordance with the provisions of this reform point.

**Points to note for implementing the reform:**

- The State/UT may choose to setup e-filing service centers and the helpline internally or outsource its development and maintenance to assist taxpayers for e-filing of returns under the State/UT GST Act.
- However, in both aforementioned scenarios, primary responsibility would remain with State/UT Government to ensure smooth functioning and resolution of issues/queries in a timely manner.

**Points to note for uploading evidence:**

- Provide contact details of the service centers that have been set up by the State/UT.
- Ensure that the helpline established and shared in the submitted evidence is functional and not out of order.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step wise)

**Recommendation 57:**

Constitute an Authority for Advance Ruling (AAR) under the State/UT Goods Service Tax Act and publish details of application procedure and checklist on the Department's website

**Recommendation 58:**

Constitute an Appellate Authority for Advance Ruling (AAAR) under the State/UT Goods Service Tax Act and publish details of application procedure and checklist on the Department's website

**Objective:**

- AAR and AAAR is an effective mechanism to provide certainty in the tax liability and help reduce the risk of litigation in future. In accordance with the provisions of the State/UT GST Act <sup>[1]</sup>, all States/UTs are required to set up AAR for seeking advance ruling over GST levy and AAAR to hear appeals of the applicant aggrieved by any advance ruling pronounced by AAR.

<sup>[1]</sup> Act reference: Chapter XVII on 'Advance Ruling' of State/UT GST Act.

**Feedback:**

- The respondents will be asked whether AAR and AAAR has been established by State/UT and whether details of application procedure and checklist for applying for the same have been published online for the benefit of the investors and general public.

**Points to Note for implementing reform:**

- States/ UTs to pass a Govt. Order/ Official Notification regarding the constitution of the Authority for Advance Ruling (AAR) and Appellate Authority for Advance Ruling (AAAR), complying with the provisions of the State/UT GST Act.
- The details of the application procedure and checklist of documents required for the same need to be clearly published on the Department's website.

**Points to note for uploading evidence:**

- Include the relevant Notification/ Government Order which provides for the creation and constitution of the authority for Advance Ruling (AAR) and Appellate Authority for Advance Ruling (AAAR) under the relevant section of the State/UT GST Act. Note that no draft notifications should be furnished as evidence.
- Details on the application procedure and documents required in the process need to be clearly published on the Department's website. Include relevant screenshots wherever applicable depicting the application procedure and checklist of documents required.
- Note that evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.

**State levies other than GST**

**Recommendation 59:**

Publish a list of all State, municipal and panchayat levies and include the relevant information pertaining to the rates and tariff levied by the State and local bodies on the online portal.

**Objective:**

- To improve access to information and improve tax compliance, the State/UT should publish a list of all State/UT, Municipal and Panchayat levies other than GST and include the relevant information pertaining to the rates and tariffs comprehensively for all levies which constitute more than 10% of total revenue of a *Zila Panchayat/ Parishad* or a Municipality having population of not less than 500,000 in accordance with the latest census.

**Feedback:**

- The respondents will be asked whether the State/UT has published a list of all State, municipal and panchayat levies and included the relevant information pertaining to the rates and tariff levied by the State and Local Bodies on the online portal, in accordance with the provisions of this reform point.

**Points to note for implementing the reform:**

- State/ UT should publish a list of all the taxes, duties, cesses or fees which are outside the purview of GST as imposed by the State/UT Governments and municipal, local bodies on a common portal (including those at the Panchayat - District and village level). For example, advertisement tax, land conversion charges, show tax, etc., which may be applicable at the municipal/ panchayat level in different States/ UTs.
- Since such levies can be under the ambit of different Departments, please note that the links to the different portals can be put together on one common online portal. This will help the investors view the different levies comprehensively on one portal. The State/UT may also provide necessary links to navigate to different websites if required eg, Department of Transport, Department of Revenue, etc.

**Points to note for uploading evidence:**

- Ensure that the URL for the website submitted as evidence is operational.

**State Excise**

**Recommendation 60:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

**Recommendation 61:**

Design and implement a system for online filing of returns and for online payment of duty as provided under the State Act and rules thereunder

**Objective:**

- The State/UTs should implement an online application system for granting necessary licenses/permits/registrations/NOCs under various services offered by the State/UT Excise Department, pertaining to potable and non-potable alcohol and specify the timelines for approval of the same.
- The State/UT should design and implement a system for online filing of returns and online payment of the applicable Excise Duty as mandated under the State/UT Excise Act and Rules.
- This move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

**Feedback:**

- The respondents will be asked whether they could apply for the required registrations/approvals pertaining to potable and non-potable alcohol through the online system of the State/UT Excise Department. They will be asked whether they were required to interact physically for such registration(s).
- Further, the respondents will be asked whether they were able to file applicable returns online and make online payment of the applicable Excise Duty as mandated under the State/UT Excise Act and Rules.

**Points to note for implementing the reform:**

- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where the application is pending currently, as the case may be or else show a clear status of approval/rejection.
- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)



## Property Tax

### **Recommendation 62:**

Design an online system which will have the facility to auto-calculate the levy.

#### **Objective:**

- This reform point is aimed at designing/development of an online system which will have the facility to auto-calculate the levy, so that property owners have clarity about their tax liability and the time taken to file returns reduces and the tax compliance increases.

#### **Feedback:**

- The respondents will be asked whether they were able to view the auto-calculated online assessment/ tax calculation details, in accordance with the provisions of this reform point.

#### **Points to note for implementing the reform:**

States/ UTs to design and implement a system with the following features:

- Applicants/ Assessors should be able to view the auto-calculated online assessment/ tax calculation details.
- The system should auto-calculate the levy based on the area of the property, value of the property, circle rate, other cess (if applicable), any interest amount applicable (for defaulted period) etc.
- Once the system auto-calculates the levy, the system should allow users to make online payment.
- The system should keep records of past taxes paid on the portal for each user. If the property tax return for the previous year has not been filed by the user, property tax for the current year should be accompanied with the return and dues (if any) for the previous years.

#### **Points to note for uploading evidence:**

- Ensure that the URL for the website submitted as evidence is operational.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

## Profession Tax

### **Recommendation 63:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application

- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

**Recommendation 64:**

Design and implement a system for online filing of returns and for online payment of tax as provided under the State Act and rules thereunder

**Objective:**

- The State/UTs should implement an online application system for granting Profession tax Registration, where applicable, and specify the timelines for approval of the same.
- The State/UT must design and implement a system for online filing of returns and for online payment of Profession Tax as provided under the State/UT Act and Rules thereunder.
- This move towards IT driven systems and processes is aimed at boosting efficiency and transparency.

**Feedback:**

- The respondents will be asked whether they could apply for Profession Tax registration through the online application system in accordance with the provisions of this reform point. They will be asked whether they were required to interact physically for such registration.
- Further, the respondents will also be asked whether they were able to file returns online and make online payment of Profession Tax as mandated under the State/UT Act and Rules.

**Points to note for implementing the reform:**

- The State/UTs must implement an online application system for Profession tax registration with following features:
- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.
- The system should allow the user to track the status of applications online - Once the applicant logs into the online portal, applicant should be able to clearly see the status of the application. This means that the tracking status should show where

the application is pending currently, as the case may be or else show a clear status of approval/rejection.

- Once approved, the user should be able to download the approval or registration certificate online.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

## 10. Inspection enablers

### Central Inspection Framework

#### Compliance Inspection under the following areas:

##### Labour, Factories and Boilers:

- i. The Equal Remuneration Act, 1976,
- ii. The Minimum Wages Act, 1948
- iii. The Shops and Establishments Act
- iv. The Payment of Bonus Act, 1965
- v. The Payment of Wages Act, 1936
- vi. The Payment of Gratuity Act, 1972
- vii. The Contract Labour (Regulation and Abolition) Act, 1970
- viii. The Factories Act, 1948
- ix. The Boilers Act, 1923

##### Environment:

- x. The Water (Prevention and Control of Pollution) Act, 1974
- xi. The Air (Prevention and Control of Pollution) Act, 1981

**Recommendation 65:**

Institutionalize a Central Inspection System (CIS) responsible for undertaking compliance inspections of the Departments concerned and

- i. Define risk criteria (such as High, Medium and Low risk) to classify industries which undergo inspections conducted by Departments under the CIS
- ii. Differentiate compliance inspection requirements based on risk profile of industries
- iii. Publish a well-defined inspection procedure, checklist on the Department's/ CIS web site
- iv. Identifying establishments that need to be inspected based on computerized risk assessment
- v. Computerized allocation of inspectors
- vi. Mandate that inspections (except in case of complaint based inspections) shall be limited to the checklist
- vii. Mandate online submission of inspection report within 48 hours to the Department/ CIS
- viii. Mandate that the same inspector will not inspect the same establishment twice consecutively
- ix. Allow users to view and download submitted inspection reports of at least past three years

**Recommendation 66:**

Mandate surprise inspection or inspections based on complaints are conducted with specific permissions from the respective Head of Department

**Objective:**

- A Central Inspection System (CIS) can help eliminate inspections being conducted in silos and ensure mutual sharing of information between inspecting Departments and Agencies.
- It allows for more effective planning of inspections by ensuring that inspector visits are coordinated and reduces discretion in allocation of inspectors
- To increase transparency in compliance inspection process and allow businesses to access inspection reports online.

**Feedback:**

- The respondents will be asked to confirm if the CIS of the State/UT has the features listed above.

**Points to note for implementing reform:**

- States/UTs have to develop and implement a Central Inspection System (integrated risk based shared inspection system) covering Department of Labour, Department of Factories and Boilers and State Pollution Control Board.

- In this context, inspections refer to periodic compliance inspections under various Acts and Rules. The CIS will be responsible for inspections whereby inspectorates will directly report online in the system to synchronize multiple inspections.
- The risk based classifications criteria could vary across Departments as risk posed by an establishment could differ depending on the Department's perspective.
- Inspection reports filed beyond 48 hours should be considered as invalid.

**Operational model for the CIS:**

- Form a CIS: CIS will be responsible for synchronization of multiple inspections and all inspections will be directed through the system.
- Inspection schedule: Generate computerized list of units to be inspected based on risk levels of the businesses (depends on sector, history of compliance, etc.).
- Computerized allocation of the inspection resources:
  - Inspectors to be informed directly to conduct the inspections based on the inspection schedule.
  - The establishment must be informed of upcoming compliance inspections through e-mail/SMS. Also, send inspection information on forms and templates before the inspection process to the establishment being inspected.
  - Inspector scheduling must be on a rotational basis i.e., same inspector cannot perform two consecutive inspections of the same business.
  - The inspection report to be submitted within 48 hours to the CIS.
- Surprise inspections to be done based on complaints with specific permission from Head of the respective Department.
- Establishments must be able to download the final inspection report online
- The CIS should be functional for all Departments mandated under BRAP 2019, merely proposing the formulation of a CIS will not be sufficient for approval of the reform(s).
- No exemption will be granted to States/UTs having only a single inspector.

**Points to note for uploading evidence:**

- Evidence to examine the functionality of the features of online system should be clearly provided.
- The evidence must highlight the Departments and Agencies which are part of the CIS, the risk criteria and procedures/checklists. It must also clearly show which inspection (under relevant Act/ Rules) are included in the CIS.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

## Joint Inspection

### **Recommendation 67:**

Mandate joint- inspection under all of the following Acts:

- i. Inspection under The Equal Remuneration Act, 1976
- ii. Inspection under The Factories Act, 1948
- iii. Inspection under The Maternity Benefit Act, 1961
- iv. Inspection under The Minimum Wages Act, 1948
- v. Inspection under The Shops and Establishments Act (as applicable)
- vi. Inspection under The Labour Welfare Fund Act (as applicable)
- vii. Inspection under The Payment of Bonus Act, 1965
- viii. Inspection under The Payment of Wages Act, 1936
- ix. Inspection under The Payment of Gratuity Act, 1972
- x. Inspection under The Contract Labour (Regulation and Abolition) Act, 1970

The inspections above refer to the compliance function of the Department of Labour and Department of Factories which can easily be converted into a single joint inspection.

### **Objective:**

- Businesses that have to deal with multiple inspections from the same Department several times a year face higher compliance time and cost burdens in dealing with inspections. A single joint inspection can drastically reduce the burden on the limited inspector base available to States/UTs as well, and enable more efficient identification of violations.

### **Feedback:**

- The respondents will be asked if compliance inspections under the above mentioned Acts were conducted together or not in the past one year.

### **Points to note for implementing reform:**

- A notification mandating joint inspections should be issued. The notification should also name the Acts under which joint inspections will take place.
- Publish a single checklist and procedures for undertaking this joint inspection.

### **Points to note for uploading evidence:**

- Ensure that the URL for the website submitted as evidence is operational.

## Inspection under Legal Metrology Act, 2009 and Rules

**Recommendation 68:**

Publish a well-defined inspection procedure, checklist on the Department's web site and mandate that inspections (except in case of complaint based inspections) shall be limited to the checklist.

**Recommendation 69:**

Design and implement a system which is capable of:

- i. Identifying licensees that need to be inspected
- ii. Computerized allocation of inspectors
- iii. Allowing users to view and download submitted inspection reports of at least past three years

**Recommendation 70:**

Mandate online submission of inspection report within 48 hours to the Department and that the same inspector will not inspect the same establishment twice consecutively.

**Objective:**

- To increase transparency in the inspection conducted under the Legal Metrology Act, 2009.

**Feedback:**

- The respondent will be asked question based on their experience of inspections under the Act.

**Points to note for implementing reform:**

- Procedure, checklists/ forms and risk based criteria should be available on the Department's website.
- Checklist must not be open-ended and avoid usage of phrases like "any other statutory clearances/ licenses", "any other document", "others", "such as", "etc."
- The online system should be capable of selecting establishments to be inspected. It should also be able to allocate inspections to inspectors. The inspector must also have the option of uploading/creating the inspection report on the system. The signed inspection report, either digitally signed or manually signed and scanned, must be made available for viewing and downloading by the user on the portal. The inspection reports of last three years must be made available for the establishment.
- A specific provision must be made, that inspection reports must be submitted within 48 hours through a notification or circular. Inspection reports filed beyond 48 hours should be considered as invalid.

**Points to note for uploading evidence:**

- Evidence to examine the functionality of the features of online system should be clearly provided.
- Ensure that the URL for the website submitted as evidence is operational.
- A notification with the required mandates must also be shared.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

## 11. Contract Enforcement

### Commercial Dispute Resolution Enablers

#### **Recommendation 71 (i):**

Constitute Commercial Courts (in major towns/cluster of district so as to cover the whole State) to hear and resolve commercial disputes under The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015

#### **Objective:**

- The objective of the reform is creation of separate Commercial Courts in the State/UT to ensure timely resolution of disputes arising out of Commercial contracts/transactions. This is necessary since the existing District and High Courts are over-burdened with backlogs which increases the time to get remedy from Courts.
- Specialized Commercial Courts/Benches at High Courts and District Courts can reduce the time and cost of enforcing contracts. Commercial Courts at District level can be set up for exercising jurisdiction more than one district that have significant commercial activity and disputes.

#### **Feedback:**

- The respondents will be asked whether the State has setup Commercial Courts (in major towns/cluster of district so as to cover the whole State) to hear and resolve commercial disputes.

#### **Points to note for implementing reform:**

- The State/UT should pass a Govt. Order/ Official notification stating the creation and constitution of the Commercial Courts (in major towns/cluster of district so as to cover the whole State) to hear and resolve commercial disputes under The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015.
- The State Government may decide about the pecuniary jurisdiction according to their local needs. However, these courts should be created on stand-alone basis and with adequate substantive work.



**Points to note for uploading evidence:**

- A notification/ Government Order issued for constitution of Commercial Courts along with effective date of its operationalization, should be shared in the evidence.
- Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as a description for the purpose of implementation.
- No draft notifications should be furnished as evidence and to be submitted by State/UT only when reform is implemented.

**Recommendation 71(ii) :**

Ensure that the Presiding Officer appointed as per The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act , 2015 should not be having additional charge

**Objective:**

- At present, Judges in District and High Courts often exercise jurisdiction over cases involving more than one area of law. This often leads to creation of backlogs and the Courts become overburdened with pending cases.
- The principle reason behind creation of separate Commercial Courts is to ensure that the Judges/Courts are not over burdened by additional charge other than that of disputes governed by/under the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015.

**Feedback:**

- The respondents will be asked questions with respect to exercise of jurisdiction by the Commercial Courts.

**Points to note for implementing the reform**

- The State/ UT should pass a Govt. Order/ Official notification implementing the aforesaid reform.

**Points to note for uploading evidence:**

- A notification/ Government order mandating that Judge(s)/Presiding Officer(s) of Commercial Courts should not have additional charge other than disputes arising under The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015, should be shared in the evidence.
- No draft notifications should be furnished as evidence and to be submitted by State/UT only when reform is implemented.
- Ensure that the URL for the website submitted as evidence is operational.

**Recommendation 72 :**

Constitute Commercial Appellate Division having one or more Division Benches for the purpose of exercising jurisdiction and powers conferred under The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015

**Objective:**

- For the purpose of exercising Appellate Jurisdiction for appeals filed against decisions by Commercial Courts, the States should constitute Commercial Appellate Division having one or more Division Benches at District and High Court level.

**Feedback:**

- The respondents will be asked whether the State has setup Commercial Appellate Division having one or more Division Benches for the purpose of exercising jurisdiction and powers conferred under The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015.

**Points to note for implementing the reform**

- A notification/Government order incorporating the aforementioned period should be introduced by the State/UT.

**Points to note for uploading evidence:**

- A notification/ Government order issued for constitution of Commercial Appellate Division having one or more Division Benches at District and High Court level along with effective date of its operationalization, should be shared in the evidence.
- No draft notifications should be furnished as evidence and to be submitted by State/UT only when reform is implemented.

**Recommendation 73:**

Ensure that at least 90% vacancies in Commercial Courts have been filled up for Judges, stenographers, senior clerks, clerks, assistants, and support staff

**Objective:**

- Recruitment of Judges along-with relevant support staff should be done by direct recruitment by the State/UT. Commercial Courts will be able to function properly only if a minimum of 90% of staff strength is in place. This will ensure that there are sufficient number of Judges and support staff are in place to deal with disputes, thus tackling the backlog as well as rendering judgments in a time-bound manner.

**Feedback:**

- Respondents will be asked questions with reference to occupancy of relevant positions in the Courts.

**Points to Note for implementing reform:**

- The State/ UTs should ensure that at least 90% vacancies in Commercial Courts have been filled up for Judges, stenographers, senior clerks, clerks, assistants, and support staff.

**Points to note for uploading evidence:**

- A notification/ Government Order issued for recruitment/ appointment of judges, stenographers, senior clerks, clerks, assistants, and support staff should be shared in the evidence.
- The State should share data pertaining to the total number of Judges, stenographers, senior clerks, clerks, assistants, and support staff as are required for functioning of the Commercial Courts and Commercial Appellate Courts and the number of such vacancies that have been filled.

**Recommendation 74 :**

Each Commercial Court, Commercial Division, Commercial Appellate Division should maintain, publish and update every month, statistical data regarding the number of suits, applications and appeals filed and pendency of such cases, status of each case and number of cases disposed of.

**Objective:**

- The reform point seeks enforcement of Section 17 of The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 to examine redressal of commercial disputes on an on-going basis. Such periodic data will help Courts in assessing pendency of cases and correspondingly take measures to reduce the time taken to enforce contracts.

**Feedback:**

- The respondents will be asked questions concerning availability of the statistical data.

**Points to Note for implementing reform:**

- The State/ UTs should publish data on a portal/website as per the reform point.

**Points to note for uploading evidence:**

- Ensure that the URL for the website submitted as evidence is operational.

## Paper-less Courts

**Recommendation 75:**

Design and implement a system for commercial disputes in Commercial courts, that allows:

- i. e-filing facility
- ii. e-cause lists
- iii. e-summons
- iv. Online payment of court fees and process fees,
- v. for all Commercial Courts

**Objective:**

- The above reform seeks to put emphasis on development and introduction of e-courts system for Commercial Courts to enable management of court cases in a more systematic manner. Globally such systems have been found to significantly reduce the time and cost associated with filing, administering, tracking legal disputes; further, they allow for a more efficient record management in courts and thereby reduce the administrative costs associated with judicial administration.
- The questions seeks to examine whether an electronic case management system exists or has been developed, and, if so, whether it includes features that allow e-filing facility, e-summons, e-payments for court fees and process fee, cause lists etc., thereby increasing the transparency of court's functioning. Online payment should also be integrated with the payment gateway.

**Feedback:**

- The respondents will be asked questions in relation to development of the system as mandated in the reform point.

**Points to note for implementing the reform**

- A notification/amendment introducing the above-mentioned reforms/paper-less courts should be shared in the evidence. Where a system developed centrally by the e-courts Committee is in use, the credit for the same will be given to the State Government.

**Points to note for uploading evidence:**

- The screenshots and URL of webpage displaying the facilities for e-filing, e-cause lists, e-summons and online payment of court fees and process fees should be present in the evidence.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system operation i.e., the steps of e-filing, uploading all documents, e-cause lists, issuance of e-summons, making payment online for court fee and process fee.
- Ensure that the URL for the website submitted as evidence is operational.

## 12. Sector Specific

### Drug Manufacturing/ Selling/ Storage License and renewal thereof

**Recommendation 76:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

The State/UT should design and implement a system for drug manufacturing/ selling/ storage license and renewal thereof.

**Objective:**

- To provide faster application process and ensure transparency to obtain requisite license.

**Feedback:**

- The respondents will be asked whether such service could be availed online. They will be asked whether there were any physical interaction for such registration.

**Points to note for implementing reform:**

- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form

online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.

- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

### **Registration/ Licenses and renewal (wherever applicable) under the Legal Metrology Act, 2009**

#### **Recommendation 77:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

#### **Objective:**

- To provide faster application process and ensure transparency to obtain requisite license.
- The State/UT should design and implement a system for registration/ licenses (wherever applicable) and renewal under the Legal Metrology Act, 2009. This law establishes uniform standards of weights and measures to regulate trade in weights, and other goods which are sold or distributed by weight, measure or number.

#### **Feedback:**

- The respondents will be asked whether such service could be availed online. They will be asked whether there were any physical interaction for such registration.

#### **Points to note for implementing reform:**

- Users should be able to fill-in and submit the application form online
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.

#### **Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

### Registration of partnership firms

#### **Recommendation 78:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

#### **Objective:**

- The State/UT should design and implement a system for registration/ licenses (wherever applicable) and renewal under the Legal Metrology Act, 2009.
- To provide faster application process and ensure transparency to obtain requisite license.

#### **Feedback:**

- The respondents will be asked whether such service could be availed online. They will be asked whether there were any physical interaction for such registration.

#### **Points to note for implementing reform:**

- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the

certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.

- The online payment gateway should be integrated with the application system.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Registration of Societies**

**Recommendation 79:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online
- vi. A standard template of MoA and model bye-laws should be made available in the Department's website

**Objective:**

- The State/UT should design and implement a system for registration of Societies under both the Societies Registration Act, 1806 and Cooperative Societies Act, 1912.
- To provide faster application process and ensure transparency to obtain requisite license.

**Feedback:**

- The respondents will be asked whether such service could be availed online. They will be asked whether there were any physical interaction for such registration.



**Points to note for implementing reform:**

- Users should be able to fill-in and submit the application form online.
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system.
- Editable template of Memorandum of Agreement and model bye-laws should be made available.

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)

**Trade License**

**Recommendation 80:**

Implement an online application system with the following features:

- i. Online submission of application without the need to submit physical copy of application
- ii. Eliminate physical touchpoint for document submission
- iii. Allow option of online payment of application fee
- iv. Allow applicant to track status of application online
- v. Applicant can download the final certificate online

**Objective:**

- The State/UT should design and implement a system for obtaining Trade License. The Trade License as per the recommendation covers all Trade Licenses under the Municipal Acts of the respective municipal corporation and other local bodies of the States as relevant.
- To provide faster application process and ensure transparency to obtain requisite license.

**Feedback:**

- The respondents will be asked whether such service could be availed online. They will be asked whether there were any physical interaction for such licenses.

**Points to note for implementing reform:**

- Users should be able to fill-in and submit the application form online
- There should be no physical touch-points between the applicant and Department from the time of application process till the final decision. Applicants should not be physically present for submission and verification of documents before the certificate/ approval is issued. Instead, applicant can use digital signature certificates to submit their documents through the online system.
- The online payment gateway should be integrated with the application system

**Points to note for uploading evidence:**

- Entire process-flow from submission of application to grant of registration/approval should be clearly shown. For online procedures, the link of the relevant website should be provided. Evidence showing extract of any notification, Govt. order, Rules, Act, etc., will not be considered as process description.
- Ensure that the URL for the website submitted as evidence is operational.
- Evidence to examine the functionality of the features of online system should be clearly provided. Proof of entire system i.e., for the steps of filling application form online, uploading all documents, making payment online and online tracking of application and obtaining approval/registration certificate should be shared in the evidence.
- Evidence may be submitted in any of the following ways:
  - a) Links to uploaded videos of user walkthrough
  - b) Screenshots to prove the functionality of the system (Step-wise)