



ESTD. 1992

CHANDIGARH BEOPAR MANDAL (Regd.)

Head Office : SCO 10, Sector 21-C, Chandigarh **Mobile** : 98158 82100
Admn. Office : Shop No. 348, Sector 44-D, Chandigarh **Mobile** : 98150 03505
PR Office : SCO 26, Sector 11-D, Chandigarh **Mobile** : 98761 19212

Charanjiv Singh
President

Satpal Gupta
Chairman

Parshotam Mahajan
Vice Chairman

Subhash Narang
Sr. Vice President

Anil Vohra
Patron

Diwakar Sagoonja
Patron

Gursharan Batra
Patron

Naresh Mahajan
General Secretary

To,

Sh. Jatinder Pal Malhotra,
President,
Bharatiya Janata Party,
Chandigarh, U.T.

Dated:-15/04/2024

Sub.:- Urgent need to resolve long Pending Issues of Traders.

Respected Sir,

Chandigarh Beopar Mandal on behalf of traders of the city would like to put forward some of the important pending issues of traders. You are requested to include these in your manifesto for incoming elections so that these can be resolved soon.

- 1. Implementation of OTS Scheme for Vat Assessment Cases on Punjab Pattern:-** Dealers of Chandigarh are in great trouble due to huge Tax demands of old VAT Assessment cases because of non supply of some C-Forms by the purchasing dealers of other States. Dealers of Chandigarh have delivered the goods and without any fault on their part, they are being forced to pay hefty amount as tax, interest etc. Neighboring states of Punjab, Haryana, Himachal Pradesh and so many other states has already come out with such schemes. File to implement this scheme is under processed since long and making round of offices again and again thereby delaying the process. To give relief to the traders of the city, a One Time Settlement Scheme of outstanding dues of Vat Assessment cases on Punjab pattern should be implemented immediately after the elections.
- 2. Making Commercial Property Freehold:-**We appreciate the move of Chandigarh Administration to sell commercial/industrial/institutional properties on freehold basis on the pattern of residential property. This will revive the property market and also earn more revenue for the Chandigarh Administration as well.

Now it is requested that both already sold commercial as well as Industrial property should be allowed to be converted from leasehold to freehold with reasonable conversion charges to fulfill the old demand of citizens of Chandigarh. As Chandigarh Administration has already submitted its proposed conversion policy with MHA, so final approval from MHA is awaited.

- 3. Conversion of SCF to SCO:-** Chandigarh Administration has suddenly increased conversion/extra coverage charges from SCF to SCO on the V-4 road markets of Sector 7 to 30 from Rs.5 Lac to Rs.60-70 Lac approx by linking it to collector rate thereby stopping the whole conversion process. Levying such huge amount for constructing already permitted extra coverage in their own commercial property is unjustified, hence needed to be rationalized.

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4. **Rationalization of Penalty under Building Bye Laws:** - Although penalty of Rs 500 per Sq. Ft. per month increased arbitrarily from that of Rs 10/- have been reduced by the Administration after intervention of High Court in a pending litigation yet it is still very high. It should be required to be completely rolled back. Such un-proportionate harsh measures are not heard for in any part of the country on businesses being done in defined commercial sites. Penalties worth Crore of rupees much higher than even conversion charges and sometimes even more than valuation of properties on the pretext of being a deterrent have been levied on the occupants. It should be rolled back or rationalized to save general public from undue harassment.

5. **Permission of General Trade in the Upper Floors of Commercial Buildings without Conversion Charges:** - Display and sale of goods which covers almost all general trade category of goods had got included by an error under high density Trade where as it should have been put in the category of other permissible trades like Coaching Classes/Health Centre/Gyms, Medical Labs/Diagnostics Centre, Education Institutions, Banks, Computer Training, Cyber Café/Internet Services etc which are currently being permitted on the upper floors. In fact more people visit the above mentioned business centers at any time than the General trade shops. So there should not be any conversion charges on general trade activities in any floor of SCO as these buildings have been sold and auctioned for general trade.

Estate Office should not interfere or object to any internal changes or temporary partition inside the shop required for modern day trade.

6. **Construction of First Floor on Single Storey Bay Shops/Booths for Storage Purpose:** - One additional floor should be allowed for storage purpose on all single storey Bay Shops and Booths in the city to give relief to the small traders who are weaker section of society. It will help to remove encroachment in the new Verandas/Corridors of small Shops of 8'x16. it has been already permitted in upcoming Booth Markets in Chandigarh and also same is permitted by Haryana Government in Panchkula which is part of Tricity.

7. **Box Type Construction of SCO and SCF in First Phase Sectors:-**The owner of SCO's and SCF's in Phase-1, Sectors may kindly be allowed to increase the floor area of 1st and 2nd floor equal to ground floor i.e. extending the construction of 1st & 2nd floor up to the end wall of the Ground floor to bring parity with Phase-II, Sectors of Chandigarh.

8. **Sector 7 and 26 Madhya Marg Showrooms:-** These showrooms are having open to sky central courtyard should be allowed to be covered. These showrooms also have back courtyard where restaurants are already running should be allowed to be covered fully with temporary roof to give relief to the traders.

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9. **Renewal of Food Licenses manufacturing Bakery, Namkeen etc. in the villages situated in the periphery of Chandigarh:-** The FBO's are doing their business of manufacturing of items such as Bakery, Namkeen and other Allied Items in the villages in the peripheries of Chandigarh for the last many years. There Food Licenses under the FSSAI Act are not being renewed since 10-15 years. These products are of daily needs of the consumers and also source of earning for large number of employees, so their licenses who are maintaining cleanliness as per FSSAI Standard should be renewed.

License under the FSSAI Act to the Food Business Operators should be issued one time for whole life like GST Registration, Income Tax PAN and Shop Act etc.

10. **Expansion of Parking Facility in Markets:-** Parking problem in Sector-17 have been solved with the construction of multistory parking but other markets of the city still have congestion in parking lots and people park their vehicles on the main roads. So expansions of parking facility is required either by way of community parking at the back side or adjoining vacant place near markets or 5-6 multistory parking in and around the busy markets. Mandi Ground opposite sector 45 market circular road and vacant ground in sector 34 opposite Furniture, Nehru Shastri Market can be utilized for multy storey parking. Similarly vacant spaces can be identified in and around other markets.
11. **Vendor Zones:-** It is being observed that unauthorized vendors have again started operating outside shops in the markets. They should be shifted to their respective vendor zones already created for them where they can earn their livelihood and traders in the markets should not be disturbed as they are paying high rentals and earn revenue for the state.
12. **Fire Safety Measures:-** It is very difficult and impractical to install fire safety systems in 40-50 years old buildings. Above all these measures should be implemented only on the buildings with fifteen meters and above height as per NBC guidelines and single storey booths, bay shops and SCO with less than fifteen meters heights should be exempted.
13. **Formation of Chandigarh Traders Welfare Board:-** As National Traders Welfare Board have been formed to take up national issues to be taken with the Central Govt. State of Haryana and Punjab have already formed their Trader's Boards for the welfare of the traders of their state. So Trader's Welfare Board for Chandigarh on the pattern of National Traders Welfare Board headed by a Chandigarh trader should be formed to take up the Trader's issues in Chandigarh. Similarly traders of Chandigarh should be given representation in Advisory Committee formed by Home Minister of India so that we can take up trader's issues with MHA.

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14. **Income Tax Clause:-** That in the Budget of the year 2023 the new clause has been inserted in the Finance Bill 2023 under section 43B of the Income Tax Act which read as "*(h) any sum payable by the assesses to a micro or small enterprise beyond the time limit specified in section 15 of the Micro, Small and Medium Enterprises Development Act, 2006.*" That Section 15 of the MSMED Act mandates payments to micro and small enterprises within 15 days and 45 days if there is written agreement. That if the payment to Micro & Small Enterprises has not been made in specified time, then that amount shall be added to the **Taxable Income** of the assesses in the Previous Year and he has to bear the tax liability on such amount and will squeeze working capital. So it is requested to delete/omit new clause (h) in section 43B of the Income Act as it will cause hardship in the trade and will also be practically impossible to implement.

On behalf of trading community, Chandigarh Beopar Mandal requests your goodself to kindly consider the above issues favorably and include in your manifesto for incoming elections for early resolution to fulfill the long pending demand of traders of city.

Thanking you

Yours faithfully

(Charanjiv Singh)
President, CBM