

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

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## Introduction

This guide has been produced to support states in implementing the Business Reform Action Plan for States and UTs 2016, circulated by DIPP to all state Governments in late October 2015.

This guide is intended to strategically discuss the intended objective and end-result envisioned in each of the 340 action points identified in the Business Reform Action Plan. It is our hope that the guide will allow states to understand in depth what is required for full implementation, so that they can identify the reforms that should be undertaken to achieve the objectives of the Action Plan.

The end results envisioned for each question have been developed based on a mix of global best practice as well as initiatives already underway by states in India. There is therefore tremendous scope to learn from each other's experiences and design effective reforms that can make it easier for business to start and operate in India.

DIPP will support state implementation efforts by sharing lessons and knowledge on national good practices already in place in various states, so that we can together reform and improve the regulatory environment surrounding business in India.

This guide is divided into 10 sections, each focusing on the 10 areas of the Business Reform Action Plan. In some cases, questions on similar topics have been reorganized into distinct thematic groups to support the discussion on the topic. The original question numbers are retained and specified in each case.



## Area 1: Access to Information and Transparency Enablers

### Recommendation 1:

Develop and make publicly available a comprehensive checklist of all required **pre-establishment** No Objection Certificates (NOCs), licenses, registrations and other mandatory State approvals required for **setting up of a business**

### Recommendation 3:

Design and implement an online system where an investor can key in specific details (such as type of industry, number of employees, location etc.) and obtain information regarding all State approvals applicable to **establishing** her/his business/industrial unit

### Recommendation 2:

Develop and make publicly available a comprehensive checklist of all required **pre-operation** No Objection Certificates (NOCs), licenses, registrations and other mandatory State approvals required for **starting business operations**

### Recommendation 4:

Design and implement an online system where an investor can key in specific details (such as type of industry, number of employees, location etc.) and obtain information regarding all State approvals applicable to **starting operations** of her/his business/industrial unit

Investors and businesses often suffer from uncertainty about the exact regulatory requirements required to set up and start their operations. In addition to central registration and licensing, states often have a variety of “economy-wide” regulatory compliances; further, businesses in some industries may also require a number of sector- or industry-specific licenses. In order to ensure that all this information is readily available to an entrepreneur intending to set up a business, it is intended that:

- A comprehensive list of all required licenses, registrations and NOCs, both economy-wide and industry-specific is compiled, covering at least the areas covered in the State Business Reform Action Plan 2016, along with all industry-specific clearances;
- Good practice from several states indicates that the licenses, registrations and NOCs can be sub-divided into two distinct categories: pre-establishment and pre-operation. Segregating license and registration information into these two categories can also assist in offering single window services for licenses at these two stages of a business’s establishment.
- The checklist is verified and validated effectively to ensure that no other state approval is required by consulting all licensing agencies as well as private sector associations and chambers;
- The checklist is made available to users on a state government website;
- In addition, an entrepreneur using the website for the purpose of understanding his or her regulatory burden should be able to filter the list by a set number of criteria, including the stage of the businesses life cycle, type of industry, location, number of employees, etc. to understand the unique mix of economy-wide and industry-specific licenses and registrations.

Such efforts can help ensure effective access to information for entrepreneurs, as well as provide regulatory certainty to ensure that they are aware of their exact compliance requirements. In addition, this information is critical to helping develop and implement a comprehensive single-window system and Common Application Forms (CAF).

### Recommendation 5:

Establish a centralized help line number to facilitate queries regarding the application and approval process

Even with all information provided online, confusions may persist – in the absence of any other mechanism, an entrepreneur may choose to visit government offices to seek responses to their queries. This can increase the work load of the agencies, and deter officials from focusing on their core functions to respond to queries.

An effective centralized help line number can provide entrepreneurs with a means to seek responses to their



queries effectively. Such a help line needs to have several important features to make it truly effective:

- The number should be published on the website where all the regulatory compliance requirements are posted. The state government may also choose to publicize the number through billboards, posters and other marketing material.
- The help desk should have clearly defined working hours, and all calls to the number should be answered within those operating hours.
- The help desk operators should be trained to be able to answer specific questions. Some common questions that entrepreneurs may ask include:
  - What approvals are required to set-up a textile plant?
  - Which land banks can offer me land for my plant?
  - How can my plant be categorized in terms of pollution?
  - Is there a single window system available in the state where I can get all my necessary approvals?
  - How many such textile plants were set up in the state over last one year?

**Recommendation 6:**

Implement a system whereby business entities are issued a single ID for all State taxes (VAT and CST, and PT, Entertainment Tax, Entry Tax and Luxury Tax where applicable)

Entrepreneurs are subject to various registrations for tax purposes at a state level, including VAT, CST, Entry tax, Entertainment tax, Luxury tax and Professional tax. A separate registration number for each makes it difficult on the part of the entrepreneur to remember and file; similarly, separate registration numbers make it difficult for tax authorities to develop risk profiles as they often do not have access to the full tax compliance history of a business. A single ID from the user perspective makes it easier to file taxes and also enables greater integration of tax payment and filing systems, thus reducing the cost on government to maintain multiple systems and databases.

**Recommendation 7:**

Mandate that the final VAT registration certification will be issued within at most one (1) working day from the date of submission of application form

**Recommendation 8:**

Mandate that the final professional tax registration certification (where applicable) will be issued within at most one (1) working day from the date of submission of application form

The provision of VAT and professional tax registration certificates are often a prerequisite for businesses to open bank accounts and therefore truly begin operations. Therefore, delays in issuing these certificates may lead to delays in the business's establishment and operations, thereby reducing the ability of the business to get bank loans, employ workers and generate incomes. Providing these certificates in a timely manner may help reduce this burden significantly. However, should the state choose to do so, it is necessary to put in place this commitment through a written notification mandating registration certificate to be issued in 1 day from date of application, and to ensure that any online systems for these registrations are equipped to allow this to happen in a timely manner.

**Recommendation 9:**

**Recommendation 10:**



Enact a legislation (e.g. Right to Services Act) to mandate time-bound delivery of services to Industries/ Businesses

Ensure that the time-bound service delivery legislation defines punitive provisions that deter officials from not complying with the defined timelines for services being provided to Industries/ Businesses

**Recommendation 11:**

Ensure that the time-bound service delivery legislation defines clear procedures for applicants to submit grievances relating to non-compliance with the defined timelines

In order to make the delivery of services truly effective, the timelines for delivery by various agencies must enforceable. This means that the state must have legislation that:

- Mandates time-bound delivery of services to business, in line with the timelines published above; and
- Lays out punitive measures against officials who do not abide with these timelines.

For the purposes of this assessment, we recommend that the legislation cover time-bound service delivery for at least any four of the following registration or licensing processes: Labor, Environment, Land Allotment, Construction Permits, Power/electricity connections and State taxes.

The single window legislation should also indicate clear timelines that govern its processes for dealing with grievances related to the registration process. Such timelines provide additional certainty to entrepreneurs who wish to register their businesses. However, to be truly effective, these timelines should relate to fully resolving the grievances themselves – not just routing the grievance to other agencies or departments.

**Recommendation 12:**

Mandate and make arrangements to publish draft business regulation online and invite public comments/ feedback on the same prior to enactment

**Recommendation 13:**

Mandate and make arrangements to publish the comments/feedback received on the draft business regulation and how they were addressed in the final regulation

Global best practice around promoting regulatory certainty for business includes allowing stakeholders the opportunity to review and provide feedback on draft regulations before they are enacted. Regulations that are compiled with stakeholder input tend to feature higher compliance and impose a lower burden in terms of enforcement as well as compliance. Allowing stakeholder inputs in business regulations is therefore a critical prerequisite for good private sector governance.

Many states have already introduced provisions for posting draft regulations online for public comment prior to enactment. In addition to these efforts, we recommend introducing a mechanism to provide transparency on the comments that have been received, as well as how they were addressed in the final draft of the regulation that is ultimately enacted.



## Area 2a: Single Window

### Recommendation 14:

Establish a dedicated physical body/ bureau that functions as the sole point of contact for the purpose of setting up a business

### Recommendation 15:

Ensure that the single window body/ bureau has been set up through a legislation/State notification

To be truly effective, a single window system requires a few key policy enablers including:

- A single dedicated body or setup should be designated to act as a single window system. This body can be an existing state government body, e.g. the investment promotion agency or the Industries department, or can be a new entity that is established for the purpose of providing the single window service. In either case, the agency must be mandated to be a single point of contact for all business start-up licensing, so that entrepreneurs do not have to visit multiple agencies.
- In order to empower the body or setup to effectively carry out the functions above, it must be given explicit mandate through a legislation or notification. The absence of legislation may mean that the single window system is not effective at coordinating among the various agencies, thereby limiting its effectiveness.

### Recommendation 16:

Delegate the required decision-making powers to the single window body/ bureau to grant all required approvals/ clearances

### Recommendation 17:

Delegate senior level officials with appropriate powers from various Departments through secondment/ deputation to the single window body/ bureau

### Recommendation 18:

Ensure that the single window body/ bureau has a physical office to house relevant officials of various Departments for providing approvals/ clearances

An effective single window system is one that serves as a single point of contact for businesses. This means that businesses only need to visit one office to obtain all necessary clearances, registrations and approvals, instead of visiting a variety of offices and departments. Various models of single window systems exist, and one such model that has been established in India is of a central office which houses officials from all relevant Departments that provide approvals, registrations or clearances, with sufficient authority to approve the registrations or clearances at the single window body itself. Alternatively, the single window bureau may be delegated the power to approve the applications and grant the clearances as relevant. These recommendations surround these various models. It should be noted, however, that advanced single window systems that have a strong online interface for both the user and the approving agencies may not require colocation in a single office, as long as the user or applicant does not need to follow up individually with licensing or approving departments.

### Recommendation 19:

Ensure that the single window provides clear timelines for issuing all approvals

### Recommendation 20:

Ensure that the single window provides clear timelines for addressing investor grievances

- Once established, the single window system should establish and publicize through its website clear timelines for each service that it provides, so that entrepreneurs are aware of the time it takes to meet their regulatory compliance requirements.
- The single window should also indicate clear timelines that govern its processes for dealing with



grievances related to the registration process. Such timelines provide additional certainty to entrepreneurs who wish to register their businesses. However, to be truly effective, these timelines should relate to fully resolving the grievances themselves – not just routing the grievance to other agencies or departments.

## Area 2b: Online Single Window System

### **Recommendation 21:**

Implement an online Common Application Form (CAF) for all required clearances/approvals in the single window

An important first step in an effective single window system is the formulation of a Common Application Form (CAF), which combines the applications for all services provided by the single window system. At the same time, a CAF streamlines the need for entrepreneurs to submit the same information multiple times to multiple agencies. A CAF is also important should the state wish to proceed with an online single window system. A CAF can also be used in the absence of a single window, provided it meets some basic criteria:

- The CAF should be easily accessible to entrepreneurs, either online or in hard copy.
- The state government should mandate the validity of the CAF and make it acceptable to all agencies covered as a means of application

### **Recommendation 22:**

Design and implement an online single window system with functionality for online application, payment and approvals

An effective single window system can also be placed online, so that entrepreneurs can apply for, track status and receive their registrations in an efficient manner. An effective online single window should have the following features:

Entrepreneurs should be able to fill out, upload documents and submit the application form online;

- The user can pay all associated fees online;
- Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
- The user can track the status of his applications online using the portal; and
- Once approved, the user can obtain the approval or registration certificate online through the portal.

### **Recommendation 23-40:**

Ensure Consent/Authorization/Incentives/Registration/Permission/License/Approval/NOC/Renewal under following Acts/Regulations/Procedures is provided as a service through the online single window system in a manner that allows online application, payments, tracking of status, approvals and issuance of the certificate(s)



- 'Consent to establish (Water Act & Air Act)'
- 'Consent to operate (Water Act & Air Act)'
- 'Authorization under Hazardous Waste Rules'
- Incentives under Industrial Policy
- 'Registration under Shops & Establishments Act'
- 'Permission for engaging contractor for labour'
- 'Factories license'
- 'Factory building plan approval' (under the Factories Act, 1948)
- 'Registration under Boiler Act'
- 'Change of land use'
- 'Approval of building plans'
- 'NOC from Fire Department'
- Renewal of 'Consent to operate (under Water Act & Air Act)'
- 'Shops and Establishments Act'
- 'Factories license'
- 'Registration under Boiler Act'
- Electricity connection
- Water connection

These questions aim to assess the services provided by the single window system. A truly comprehensive single window system should provide at least above mentioned Consent/ Authorization/ Incentives/ Registration/ Permission/ License/ Approval/ NOC/ Renewal services:

In addition, the single window system should also seek to provide services related to other state economy-wide and industry-specific registrations – although these are not considered within the scope of this assessment, the delivery of all services helps entrepreneurs effectively complete their regulatory compliance requirements with minimal hassle.

Each of the registration services enlisted above should be provided through the single window system in a manner that

- The application can be made in the single window system (in case of an online portal it should not be simply redirected to another portal/ website)
- The application status can be enquired through single window system
- The application approval certificate is provided through single window system

#### **Recommendation 41:**

Design and implement an online system for filing of EM Part I and Part II under The Micro, Small and Medium Enterprises Development Act, 2006

Many states today have chosen to allow entrepreneurs to file their EM Parts I and II. An effective system for such filing should also have the following features:

- Entrepreneurs should be able to fill out and submit the application form online;
- The user can pay all associated fees online;
- Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
- The user can track the status of his applications online using the portal; and
- Once approved, the user can obtain the approval or registration certificate online through the portal.

If a state has already implemented the Udyog Adhar initiative, this recommendation will be considered to have been implemented.



## Area 3a: Availability of land

### Recommendation 42:

Ensure information on land banks for industrial use are made publicly available online

### Recommendation 43:

Earmark industrial land parcels with specific criteria (e.g. type of industries, pollution levels etc.) for industries that can be setup on such land

- Numerous studies cite access to land as a constraint faced by business in India, and the first step in solving this problem is to ensure access to information on the availability of land for business.
- Many states have already established land banks to provide serviced land to investors – however, this information is often not publicly available. A necessary step would be to first list the number of land banks available in the state for industrial use, along with their respective areas. The list should be as comprehensive as possible, and should cover all the available land banks in the state. Second, this information should be made available online on an appropriate website – it can even be an informational service provided by the single window. Additionally, the State should have a framework (process to be followed/ criteria such as proximity to water bodies etc. to be used) to earmark land parcels with the kind of industry that can be setup on such land
- To ensure more effective investor enquiry, it would be useful to allow users to filter the data on land banks that is on the website by the type of industry that is permitted to be established on the land. This will allow entrepreneurs to more accurately target their inquiries to land banks that support their intended business.

### Recommendation 44:

Design and implement a GIS system providing details about the land earmarked for industrial use

### Recommendation 45:

Ensure that the GIS system provides details about available infrastructure such as road, water etc.

- Providing such information on industrial land availability can also be evolved into a more modern system by using GIS maps. Such systems allow for a multitude of layers to be placed upon geospatial maps to better understand the quality of the land available. From an infrastructure perspective, the GIS system can provide information and details on road infrastructure, water pipelines, sewerage systems, electricity connections and gas pipelines that are available or accessible to each plot of land. This information should be as comprehensive as possible, covering all the land banks in the state.

## Area 3b: Land Allotment

### Recommendation 46:

Define objective criteria for evaluating an application for land allotment

### Recommendation 47:

Define clear timelines defined for processing of application for land allotment (from the date of application)

- Once an entrepreneur has identified a plot of land which meets the requirements of his intended venture, he requires clarity on how he can access the land itself. Different states follow different principles in terms of allocating land: some use a first-come, first-serve model, while others use an objective weighted criterion in evaluating investment proposals. Each state should however define the criteria used in defining land allocation clearly through a notification or legislation, and make this information available online.
- Simultaneously, providing clarity on the timelines involved in deciding on applications will also enable entrepreneurs to plan effectively in terms of making investment decisions. This information should be notified through a notification or circular, and published in the public domain so that



entrepreneurs are aware. The criteria for land allotment should not include subjective parameters such as presentations etc.

**Recommendation 48:**

Define clear timelines for processing of application for conversion of land/ change in land use (from the date of application) for land outside of industrial parks/IDC areas.

- Similarly, providing clear timelines for processing applications related to conversion of land use can help investors plan their land purchase decisions effectively. This information should be notified through a notification or circular, and published in the public domain so that entrepreneurs are aware.

### Area 3c: Property Registration - Enablers

**Recommendation 49:**

Make available a model sale deed format for property registration on the department's website

A model sale deed format is useful for sellers of land who wish to undertake the sale process without using a lawyer. Once other recommendations in this sub-area are fully implemented, it should be possible for land sellers and buyers to negotiate an agreement without requiring the use of lawyers. Model sale deeds make it easier to develop and register deeds, both for users, as well as for registry officials who are involved in recording sales, by condensing all necessary information on the sale in a standard format.

**Recommendation 50:**

Ensure that users can collect eStamps at the time of property registration at the sub-registrar's office (i.e. no need of going to the bank to collect the challan/e-stamp)

E-stamping facilities are an efficient mechanism to replace manual stamps. Efficient e-stamping facilities allow later retrieval and validation of registered deeds, while simultaneously giving users a secure option to replace the old system of stamp papers. Many states have already mandated the use of eStamps for all deeds; however, the current process of eStamp issuance requires the user to visit a bank branch to collect the eStamp paper prior to visiting the office of the Sub-Registrar to register the deed. Allowing users to obtain the eStamp at the SRO at the time of deed registration can reduce the number of steps involved in registering deeds and transactions.

**Recommendation 51:**

Digitize land records at sub-registrar's office and make it available on an online system

**Recommendation 53:**

Digitize land records at local municipality office and make it available on an online system

**Recommendation 52:**

Digitize land records at land records office and make it available on an online system

**Recommendation 54:**

Integrate data at sub-registrar's office, land records office and local municipality office to facilitate property wise mapping of transactions

Digitized land records can be beneficial in increasing the efficiency and effectiveness of many of the agencies involved in property registration and maintenance:

- Digitized land records at the sub-registrar make it possible for the sub-registrar to easily verify land



ownership when new transactions are initiated on the land. In addition, it allows prospective land-buyers with a single point of contact to determine land ownership by checking the required historical documentation.

- Digitized land records at the land records office can help a state move towards conclusive title by ensuring that the requisite information on ownership is available when issuing Property Cards to citizens, and for pre-mutation verification of land transactions.
- Digitized land records at the local municipality office can help effectively target property taxes to the correct owners, as well as conducting verifications to ensure that all property taxes are paid upon submission of construction permit applications.

It should be noted that the ideal solution is a single database that allows real-time access from all three agencies and also allows the agencies to update the relevant data. This reduces the burden posed by digitizing records by slashing the costs of maintaining three separate systems and databases. The systems at all three agencies should be integrated in a manner that allows all transactions for a given piece of land to be captured adequately, thus providing the government as well as potential buyers with a clear indication of land ownership and encumbrances.

**Recommendation 55:**

Integrate land record databases with mortgage and judicial databases to provide a full picture of encumbrances on a property

When an entrepreneur wishes to purchase land, he must first ensure that there are no encumbrances – legal, judicial or otherwise – on the property. This due diligence involves the employment of a lawyer, because at present there are three separate databases that must be consulted: first, the land records database to ensure ownership of the property by the seller, but also searches of mortgage and judicial records to ensure there are no legal or financial encumbrances. Combining this information in a single database will significantly reduce the burden of obtaining complete ownership and encumbrance data on land parcels.

Judicial database integration first requires automation of the judiciary. In the case of mortgages, CERSAI is currently operating an equitable mortgage registry with over 12 million encumbrances recorded already. They are expanding the scope of the registry to cover other types of mortgages (English, Simple) as well as registration of agreements to sell. They are also in early stages of discussion with the land registration authorities to do web-based integration amongst their systems.

**Recommendation 56:**

Integrate the mutation process with the registration process through automatic update of land and municipal records during property registration

Advanced automation approaches already under development in India involve integration between registration at the sub-registrar office and mutation at the land records office. This integration includes not only the data-sharing above, but also focuses on process integration. This allows newly registered deeds for property sales to automatically begin the mutation process, and links officers in the field to the central system to speed up mandatory notice posting and other functions. This also reduces the number of interfaces between the user and the state government and thus promotes greater transparency.



## Area 3d: Property Registration

### **Recommendation 57:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### **Recommendation 59:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 61:** Allow third parties to easily verify approval certificates in the public domain

### **Recommendation 58:**

Define clear timelines mandated through legislation for approval of complete application

### **Recommendation 60:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the submitted documents as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval/ certificate online through the portal.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.



## Area 4a: Construction Permit Enablers

### Recommendation 62:

Enact a comprehensive formal building code applicable to the entire State

### Recommendation 63:

Ensure that the building code/building bye-laws include provisions for risk-based classification of buildings.

Construction projects in India today are subject to a wide variety of regulations and controls, often spanning a multitude of laws, regulations and notifications that are not available in a single document. The more developed the urban area, the higher the number of potential agencies and permissions involved in construction permit approvals, and therefore the higher the number of regulatory compliance requirements. Therefore, a comprehensive formal building code can unite all these regulations into a single document that outlines all requirements with which a building must abide, thereby increasing access to information on the regulatory requirements associated with each construction permit. Depending on the complexity of the code, the requirements can also be integrated into automated building permit approval software using AutoCAD, to ensure that the ULB can use software to conduct an initial scrutiny of submitted construction permit approval applications, thereby reducing the burden on the ULB.

The development of a formal building code also allows for the integration of provisions related to risk-based classification of buildings. Not all buildings pose equal health or safety burdens – some buildings may in fact be lower risk in nature, depending on the proposed usage, the proposed occupancy, the height and a variety of other factors. A risk-based building classification enables the introduction of fast-track mechanisms for low-risk buildings, thereby freeing up time of ULB officials to spend more time thoroughly reviewing and ensuring structural and public safety of higher risk buildings.

### Recommendation 64:

Ensure that the building code/building bye-laws include accreditation programs and clear responsibilities and liabilities for professionals including architects and engineers engaged in the construction process.

The building code or bye-laws are an ideal mechanism to introduce accreditation and registration programs for professionals involved in construction. The bye-laws should lay out the criteria required for registration or accreditation, but should also specify the specific responsibilities and liabilities that professionals have throughout the construction process. Currently, most ULBs in India define clear responsibilities and liabilities for faults until the construction is complete; however, many do not include provisions and liabilities once the building is in use. Defining clear responsibilities and liabilities can not only unlock the insurance industry for contractors and architects, but it can also reduce the liability on the ULB to ensure that the building as proposed is fit for use. Instead, if the liability is clearly on the shoulders of the professionals, there is more incentive to ensure that the building is of sufficient quality, while also reducing the burden on the ULB to take responsibility for damage or accidents.

### Recommendation 65:

Design and implement a system at all ULBs and IDC that allows building permit issuing agencies to assess building plans for compliance with building codes/building bye-laws using AutoCAD (or similar) software

### Recommendation 66:

Mandate that a single, joint site inspection will be carried out by various government authorities responsible for granting construction permits at all ULBs and IDCs.

Allowing applicants/architects to upload building plans as part of their online application is but the first step in automated construction permit approval. Technology has today evolved to the point where a lot of the



processing and review of building plans can also be processed using software. In particular, CAD systems can be developed that automatically scan building plans and monitor compliance with the building bye-laws and building codes in force. Such automated systems greatly increase efficiency by allowing computer verification, and simultaneously reduce the risk of human error in the review of the plans. This requires a system that allows applicants to upload building plans – these tend to be very large files, so the system should also include adequate storage space. Second, the municipal corporation should incorporate the filters and restrictions into the CAD software on the server end so that they are automatically reviewed for compliance against the building code.

Similarly, for many large buildings, a variety of government agencies are involved in inspecting and clearing the construction, at all stages of the construction process. Integrating the multiple inspections into a single joint inspection through an Act, notification or rule can help integrate the various inspection requirements into a single comprehensive checklist, which allows for a single clearance for compliant buildings, or for the development of a comprehensive corrective.

**Recommendation 67:**

Develop legally valid master plans/zonal plans/land use plans for all urban areas (ULBs)

**Recommendation 68:**

Make the master plans/zonal plans/land use plans for all ULBs online for easy information availability to assist applicants in developing building plans

Plans for urban areas designate spaces for commercial, residential and other use within urban areas. Once developed, such 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 what kind 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. In addition, this information can be codified in building plan approval software to ensure that only building plan applications that meet the required criteria as per the plan are allowed to be submitted.

**Recommendation 69:**

Define mandatory qualifications for architects, structural engineers and contractors

In order to have an effective system of accreditation of experts like architects, structural engineers and contractors, the Government should notify the qualifications required to be accredited in the state. The accreditation of architects, structural engineers and contractors can be a first step in moving to a trust-based system of construction permitting – a project that is staffed with accredited architects, structural engineers and contractors are 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 ensuring the quality of high-risk buildings while remaining relatively reassured that other buildings are being built responsibly by accredited professionals. In addition, making information on accredited professionals available publicly can help the community by identifying the best professionals for construction projects.



**Recommendation 70:**

Implement a system to allow approval based on third party certification (during construction and/or completion stage, as applicable) of structural design and architectural drawings by authorized structural engineers and architects respectively across all ULBs and IDCs

Once the state has sufficiently strong accreditation and qualifications for architects and engineers that allows the ULB to monitor quality of building processes, the state can move to a more advanced model where building plans may be submitted on the basis of self-certification by these accredited professionals. This can reduce the burden on the ULB to review the drawings prior to approval, and instead allow them to rely on the accredited professionals to ensure that the building bye-laws are complied with in the construction process. Further, this allows the ULB to function effectively without requiring a large technical staff to be maintained. This provision of course requires the architects and engineers to have clearly defined responsibilities and liabilities (see Recommendation 64). This also requires sufficient controls to ensure that penalties may be imposed if non-compliance is discovered through random audits by experienced professionals.

**Recommendation 71:**

Allow authorized architects to issue the completion certificate at all ULBs and IDCs, instead of requiring a separate completion certificate to be issued

This recommendation is valid for states where separate completion and occupancy certificates are issued by the ULB or municipal body. An ideal approach for states where this continues to be the case is to merge the completion and occupancy certificates into a single certificate; however, if this is difficult to do, it is recommended that the issuance of the compliance certificate is given to the authorized architect, following which the municipality/ULB/IDC issues the occupancy certificate.

**Recommendation 72:**

To facilitate self-certification for tree NOC, conduct a survey of planned areas and create a list of plots with trees

**Recommendation 73:**

Publish online detailed information on replanting requirements for plots with varying tree populations.

**Recommendation 74:**

Introduce self-certification to replace Tree NOC as long as required replanting activities are complied with.

The Business Reform Action Plan for States/UTs provides states with two mechanisms for streamlining the issuance of Tree-Cutting Permissions or Tree NOCs. Section 4c below deals with streamlining the existing process of issuance of these permissions, whereas the three recommendations above provide an alternative approach to streamline the regulatory environment surrounding this clearance process, by replacing the permission process with a self-certification scheme.

The first step in this new scheme is to conduct a survey of the trees in all planned areas in the state, and create a list of plots with the number of trees. This is understandably a measure that requires significant effort and time, and is therefore a medium-term objective, but it can begin through pilots in areas where the vast majority of new buildings are being built at present. Simultaneously, the state should determine and publish online information on the replanting requirements for the state. These requirements may stipulate the need to replant an equal number of trees, or to pay a fixed cost per tree that is to be cut down. Given the importance of trees, these requirements can be designed to escalate in intensity as the number of trees to be cut down increases.



Finally, once the survey is complete and the replanting requirements have been determined, applicants may be allowed to avail of a self-certification mechanism that allows them to submit either evidence of deposit of the total sum to the government's funds, or evidence of replantation. In the long run, this scheme can reduce the burden to inspect and administer the issuance of these permissions on the government, while making it easier for business to construct their buildings while ensuring that environmental interests are protected.

**Recommendation 75:**

Establish a dedicated conflict resolution mechanism for land and construction permits.

With regard to land use and building code administrative decisions, the absence of independent professional appeal mechanisms can act as another disincentive for builders to seek solutions consistent with legal and technical requirements. Appeal mechanisms can be in place through the formal judicial system, but the courts are usually slow and may not have the required expertise in dealing with compliance issues. These mechanisms can help reduce the burden on courts and the legal system to address appeals dealing with disputes between building professionals and permitting authorities on matters related to the interpretation of the building code or "sufficiency of code compliance", in relation to construction projects.

Secondly, in case a regulatory authority registers or certifies building practitioners, an independent appeal body should be established to deal with appeals from practitioners concerning registration and certification.

## Area 4b: Building Plan Approval

**Recommendation 76:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

**Recommendation 77:**

Define clear timelines mandated through legislation for approval of complete application

**Recommendation 78:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 79:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

**Recommendation 80:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through



the portal.

- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

#### Area 4c: NOC for tree felling from Tree Authority/ Appropriate Authority (prior to commencement of construction activities)

##### Recommendation 81:

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

##### Recommendation 82:

Define clear timelines mandated through legislation for approval of complete application

##### Recommendation 83:

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

##### Recommendation 84:

Ensure that the system allows users to download the final signed approval certificate from the online portal.

##### Recommendation 85: Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.



## Area 4d: NOC for Fire Department (prior to commencement of construction activities)

### **Recommendation 86:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### **Recommendation 88:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

### **Recommendation 90:**

Allow third parties to easily verify approval certificates in the public domain

### **Recommendation 87:**

Define clear timelines mandated through legislation for approval of complete application

### **Recommendation 89:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.



## Area 5a: Environmental Registration Enablers

### Recommendation 91:

Enact a list of green industries applicable for the State.

- The simplest approach to reducing the regulatory burden on business from environmental procedures and licensing is to introduce different inspection regimes for different categories of pollution. For green industries, the state can do away with mandatory inspections and replace them with need-based inspections which are only invoked in case there are specific complaints. The inspection regime for amber and red industries should also be differentiated, with less frequent inspections for Amber and more frequent inspections for Red industries and firms. Implementing this differentiated inspection regime will require a clear notification that outlines the process for each type of industry, and also mandates the frequency of inspections for Amber and Red industries.
- A more advanced approach on Green Industries is to collate a list of industry types where pollution control board clearances are eradicated altogether. This list will have to be mandated through legislation or notification, and made available publicly.

### Recommendation 92:

Exempt select green industries from pollution control board clearances

### Recommendation 93:

Allow for auto-renewal of Consent to Establish (under Water Act, 1974 and Air Act, 1981) based on self-certification/third party certification

### Recommendation 95:

Issue Consent to Operate licences that are valid for a minimum period of 5 years or more

### Recommendation 94:

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

### Recommendation 96:

Issue Consent to Establish licences that are valid for a minimum period of 5 years or more

Separate processes to renew Consents to Establish and Operate annually impose costs upon both the state government as well on entrepreneurs. For state governments, annual renewals imply repeated paperwork, inspection and costs associated with recruiting and maintaining sufficient manpower to carry out the annual checks and reregistration. However, in many cases, there are no changes in pollution levels or activities – therefore, the exercise is only repeated annually, thereby imposing repeated costs on the department and the entrepreneur.

One option to remove this cost is to issue Consents to Operate and Establish for longer durations, especially in the case of Green and up to Orange industries, subject to there being no changes in pollution levels or activities, in the case of which reregistration will be mandatory. State resources can then be geared toward auditing randomly to ensure compliance with the terms of the certificate. Additionally, the state can mandate auto renewal of the Consents subject to self- or third-party certification that there are no changes in pollution levels or activities. This will require the issuance of a notification in this regard, as well as systems to process the submission of auto-renewal filings.

If the state wishes to pursue third-party certification instead of self-certification, the state 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 falls equally upon the entrepreneur and the certifying authority.



## Area 5b: Consent to Establish under Water (Prevention and Control of Pollution) Act, 1974

### **Recommendation 97:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### **Recommendation 99:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 101:** Allow third parties to easily verify approval certificates in the public domain

### **Recommendation 98:**

Define clear timelines mandated through legislation for approval of complete application

### **Recommendation 100:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Although the Act provides a clear timeline of 120 days for issuance, states may choose to define shorter timelines through notification. These timelines should be posted either on the portal or through the citizen's charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.



## Area 5c: Consent to Establish under Air (Prevention and Control of Pollution) Act, 1981

### **Recommendation 102:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### **Recommendation 104:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

### **Recommendation 103:**

Define clear timelines mandated through legislation for approval of complete application

### **Recommendation 105:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

**Recommendation 106:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Although the Act provides a clear timeline of 120 days for issuance, states may choose to define shorter timelines through notification. These timelines should be posted either on the portal or through the citizen's charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.



## Area 5d: Authorization under Hazardous Waste (Management and Handling) Rules, 1989

### **Recommendation 107:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### **Recommendation 109:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 111:** Allow third parties to easily verify approval certificates in the public domain

### **Recommendation 108:**

Define clear timelines mandated through legislation for approval of complete application

### **Recommendation 110:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Although the Act provides a clear timeline of 120 days for issuance, states may choose to define shorter timelines through notification. These timelines should be posted either on the portal or through the citizen's charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.



## Area 5e: Consent to Operate under Water (Prevention and Control of Pollution) Act, 1974

### Recommendation 112:

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### Recommendation 114:

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 116:** Allow third parties to easily verify approval certificates in the public domain

### Recommendation 113:

Define clear timelines mandated through legislation for approval of complete application

### Recommendation 115:

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Although the Act provides a clear timeline of 120 days for issuance, states may choose to define shorter timelines through notification. These timelines should be posted either on the portal or through the citizen's charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## 5f. Consent to Operate under Air (Prevention and Control of Pollution) Act, 1981

### Recommendation 117:

Ensure information on the procedure and a comprehensive list of all documents that need to be

### Recommendation 118:

Define clear timelines mandated through legislation for approval of complete application



provided are available on the web site

**Recommendation 119:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 120:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

**Recommendation 121:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Although the Act provides a clear timeline of 120 days for issuance, states may choose to define shorter timelines through notification. These timelines should be posted either on the portal or through the citizen's charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.



## Area 6a: Labour Regulation Enablers

### Recommendation 122:

Mandate the submission of a single integrated return under all Labour Laws

Labour departments are tasked with implementing and ensuring compliance under more than 40 different laws, and most, if not all, of these laws require the submission of returns annually. If these returns are not integrated, the burden on both the business and the Labour department can be very high. The business may have to submit multiple returns containing the same information; simultaneously, the department must manage multiple returns for the same firm every year. From the business owner's perspective, a single integrated return under all Labour laws would greatly reduce the regulatory burden. From the department's perspective, a single integrated return will make it easier to capture data on the firm, while also ensuring that it can use the data more effectively for developing effective risk profiles for inspections (See Area 9). A single integrated return is also a prerequisite for building an effective online return filing system and its underlying database.

### Recommendation 123:

Introduce a provision for self-certification/third party certification of boilers

In the case of inspections with a safety dimension, i.e. the case of the boilers, inspections can be substituted with third-party certifications. To enable this, the state 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 by DIPP, so that states can easily adapt and issue the notification.

### Recommendation 124:

Introduce a provision for issuing Factory License and all subsequent renewals with validity of 10 years or more

Similar to the case of environmental licenses, factory licenses can also be issued for a longer validity, subject to no changes in the factory plan. Reregistration can be mandated in the case of changes, and this provision can be built in to the certificate itself. Random checks and audits to ensure that the factory conforms to the plan originally submitted can be carried out, thus reducing the burden on states to inspect every single factory prior to certification. Provision for issuing Factory License for 10 years or more may be implemented through a notification.

## Area 6b: Registration and grant of license under The Factories Act, 1948

### Recommendation 125:

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### Recommendation 127:

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for

### Recommendation 126:

Define clear timelines mandated through legislation for approval of complete application

### Recommendation 128:

Ensure that the system allows users to download the final signed approval certificate from the online portal.



document submission and verification

**Recommendation 129:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6c: Approval of plan and permission to construct/extend/or take into use any building as a factory under the Factories Act, 1948

**Recommendation 130:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

**Recommendation 132:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 131:**

Define clear timelines mandated through legislation for approval of complete application

**Recommendation 133:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

**Recommendation 134:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.



- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6d: License under The Indian Boilers Act, 1923

### **Recommendation 135:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### **Recommendation 137:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 139:** Allow third parties to easily verify approval certificates in the public domain

### **Recommendation 136:**

Define clear timelines mandated through legislation for approval of complete application

### **Recommendation 138:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is



issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.

- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6e: License for contractors under provision of The Contracts Labour (Regulation and Abolition) Act, 1970

<p><b>Recommendation 140:</b></p> <p>Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site</p>	<p><b>Recommendation 141:</b></p> <p>Define clear timelines mandated through legislation for approval of complete application</p>
<p><b>Recommendation 142:</b></p> <p>Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification</p>	<p><b>Recommendation 143:</b></p> <p>Ensure that the system allows users to download the final signed approval certificate from the online portal.</p>
<p><b>Recommendation 144:</b> Allow third parties to easily verify approval certificates in the public domain</p>	

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6f: Registration under The Shops and Establishment Act

<p><b>Recommendation 145:</b></p>	<p><b>Recommendation 146:</b></p>
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Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

**Recommendation 147:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 149:** Allow third parties to easily verify approval certificates in the public domain

Define clear timelines mandated through legislation for approval of complete application

**Recommendation 148:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6g: Registration of principal employer's establishment under provision of The Contracts Labour (Regulation and Abolition) Act, 1970

**Recommendation 150:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

**Recommendation 152:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 151:**

Define clear timelines mandated through legislation for approval of complete application

**Recommendation 153:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.



**Recommendation 154:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6h: Registration under The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996

**Recommendation 155:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

**Recommendation 157:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 156:**

Define clear timelines mandated through legislation for approval of complete application

**Recommendation 158:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

**Recommendation 159:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.



- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6i: Renewal of license under The Factories Act, 1948

### **Recommendation 160:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### **Recommendation 162:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 164:** Allow third parties to easily verify approval certificates in the public domain

### **Recommendation 161:**

Define clear timelines mandated through legislation for approval of complete application

### **Recommendation 163:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents



through the online system.

- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6j: Renewal of license under The Indian Boilers Act, 1923

<p><b>Recommendation 165:</b></p> <p>Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site</p> <p><b>Recommendation 167:</b></p> <p>Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification</p> <p><b>Recommendation 169:</b> Allow third parties to easily verify approval certificates in the public domain</p>	<p><b>Recommendation 166:</b></p> <p>Define clear timelines mandated through legislation for approval of complete application</p> <p><b>Recommendation 168:</b></p> <p>Ensure that the system allows users to download the final signed approval certificate from the online portal.</p>
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The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6k: Renewal of license for contractors under provision of The Contracts Labour (Regulation and Abolition) Act, 1970

<p><b>Recommendation 170:</b></p> <p>Ensure information on the procedure and a</p>	<p><b>Recommendation 171:</b></p> <p>Define clear timelines mandated through legislation</p>
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comprehensive list of all documents that need to be provided are available on the web site for approval of complete application

**Recommendation 172:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 173:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

**Recommendation 174:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 6I: Renewal under The Shops and Establishment Act

**Recommendation 175:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

**Recommendation 176:**

Define clear timelines mandated through legislation for approval of complete application

**Recommendation 177:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 178:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application



approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.

- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.



## Area 7a: Obtaining Electricity Connection

### **Recommendation 179:**

Ensure that the DisComm uses automated tools to monitor outages

### **Recommendation 181:**

Ensure that the regulator monitors reliability of supply and published information online.

### **Recommendation 180:**

Ensure that the DisComm uses automated tools for service restoration

### **Recommendation 182:**

Enact measures to ensure that the utility compensates customers for outages that go over a certain cap, or that a fine is imposed by the regulator if the outage cap is exceeded

These questions are aimed at improving the quality of electricity supply available. In recent years, Discomms around the country have been implementing Supervisory Control and Data Acquisition (SCADA) systems, which allow them to monitor outages and restore services. This replaces manual processes to monitor outages on the basis of customer complaints, and reliance on field crews or maintenance personnel to restore service. Such systems help improve the quality and reliability of electricity supply by tracking problems and resolving them in a timely manner. Second, with the help of such SCADA-based systems, regulators can effectively monitor reliability of supply, either on a periodic basis or real-time, and can publish such information online. This allows businesses to understand the quality of the electricity supply available, and to take steps necessary to plan for and mitigate outages as and when they arise.

Finally, the imposition of an outage cap also helps businesses plan for and mitigate the impact of outages, by ensuring that they are compensated for outages beyond what they have planned for. Alternatively, if the regulator imposes a fine for exceeding the cap, the Discomm has greater incentive to ensure its reliability and service quality.

### **Recommendation 183:**

Ensure that information on effective tariffs are available online, and that customers are notified of a change in tariff ahead of the billing cycle

Beyond a reliable electricity supply, transparency around tariffs is also important for customers, to enable them to forecast the cost of their energy consumption and deal effectively with future price increases. Publishing this information and notifying users of changes in tariffs ahead of time allow regulators to ensure that tariff information is transparent.

### **Recommendation 184:**

Allow third parties to easily verify approval certificates in the public domain

Many regulatory authorities and requirements require the submission of electricity and utility bills as proof of identity; once submitted, however, there is no guarantee that the submitted copy is correct or valid. Allowing third parties to verify these utility connection evidence online allows other regulators and departments to ensure the validity of the connections as a proof of identity. In addition, as a state increases its automation of systems, it can replace the need to submit this document with the submission of the user ID/customer number, and the applicant's identity can then be verified in real time by the regulators through the use of this system.



**Recommendation 185:**

Implement an online application for obtaining electricity connection

**Recommendation 187:**

Reduce the number of documents required for obtaining the electricity connection to only 2, namely proof of ownership/occupancy and authorization document (in case of firm/company)

**Recommendation 189:**

Allow third party inspection of internal installations

**Recommendation 186:**

Ensure that users are provided a fixed cost estimate based on the load required for obtaining electricity connection in industrial area

**Recommendation 188:**

Stipulate that the charged electricity connection is provided within 15 days from the date of application

The questions above are based on reforms that have significant benefits for entrepreneurs:

- An online application form, perhaps combined with the single window system, can make applications for connections easier and, by enabling tracking of applications online, can also introduce transparency into the process. If connections are provided by private distribution companies, energy regulators can also use the system to obtain data and track performance in terms of the time it takes to obtain an electricity connection.
- In many cases, road cutting may be required to provide electric connections; often, this permission is given by a separate department, and involves a separate application by the utility and a separate payment by the consumer. It is recommended that a fixed cost per load unit be stipulated by the government, which includes all costs associated with providing the average electricity connection. The distribution company can then use this payment to pay for any restoration charges or any other costs that may be incurred, and the consumer only has to apply once and pay once.
- A large number of documents are generally required to obtain an electricity connection to prove that the applicant is authorized to apply for the electricity connection. This can be streamlined significantly by requiring only 2 documents: proof of ownership and authorization to apply in the case of a company.
- A mandatory time limit for electricity connections is helpful if notified by state governments as it helps reduce uncertainty of entrepreneurs regarding the time required to obtain the connection, thus enabling them to plan effectively.
- In many cases, electricity connections require detailed inspections by the distribution companies or by the Government prior to connections. However, this inspection can be outsourced to third party agencies who have the skills to inspect internal wiring and can complete this during the building planning and construction stage itself. To enable this, the state 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.

## Area 7b: Obtaining water connection

**Recommendation 190:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

**Recommendation 192:**

**Recommendation 191:**

Define clear timelines mandated through legislation for approval of complete application



Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the connection is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.



## Area 8a: Online tax return filing

<p><b>Recommendation 193:</b> Design and implement a system for Value Added Tax (VAT) to be filed online</p> <p><b>Recommendation 195:</b> Design and implement a system for Professional Tax to be filed online</p> <p><b>Recommendation 197:</b> Design and implement a system for Entry Tax to be filed online</p>	<p><b>Recommendation 194:</b> Design and implement a system for Central Sales Tax (CST) to be filed online</p> <p><b>Recommendation 196:</b> Design and implement a system for Luxury Tax to be filed online</p> <p><b>Recommendation 198:</b> Design and implement a system for Entertainment Tax to be filed online</p>
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- Similarly, in the case of filing taxes, online returns filing mechanisms are also useful in easily and quickly capturing relevant data effectively from the users. This allows better quality control on the database itself, by ensuring that it is error-free, and by thereby allowing state tax authorities to compile comprehensive tax payment histories and develop risk profiles for each tax payer. The online filing mechanism can also be effectively combined into single software, and made available through the single window.

## Area 8b: Online tax payment

<p><b>Recommendation 199:</b> Design and implement a system for Value Added Tax (VAT) to be paid online</p> <p><b>Recommendation 201:</b> Design and implement a system for Professional Tax to be paid online</p> <p><b>Recommendation 203:</b> Design and implement a system for Entry Tax to be paid online</p>	<p><b>Recommendation 200:</b> Design and implement a system for Central Sales Tax (CST) to be paid online</p> <p><b>Recommendation 202:</b> Design and implement a system for Luxury Tax to be paid online</p> <p><b>Recommendation 204:</b> Design and implement a system for Entertainment Tax to be paid online</p>
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- Once returns are filed online, a payment gateway can be deployed to allow taxes to also be paid online. This reduces the burden on the entrepreneurs to manually visit banks to pay taxes, and enables more accurate tax payments if they are based on the filings, as opposed to manual payments which may be subject to errors.

## Area 8c: Tax enablers

<p><b>Recommendation 205:</b> Ensure that users are provided assistance for e-filing at service centers</p>	<p><b>Recommendation 206:</b> Establish a helpline providing basic services assisting users in preparing and filing returns</p>
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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 to file and pay taxes online, thereby allowing greater use of the online system. Wide availability of such centers can also increase adoption of online filing and payment mechanisms. Similarly, a helpline number can also provide real-time information and support to



users.

**Recommendation 207:**

Mandate that the VAT refund payment should directly be paid into organization's account within 60 days

VAT refunds are a source of capital that entrepreneurs can use to expand their business or to carry out transactions – therefore, delays in the refund reaching the entrepreneur can slow down the pace of business. For this question, we examine whether notifications or legislation exist that mandate this repayment into the entrepreneur's account, as well as whether the refund is made directly to the user's bank account, instead of through a voucher or check.

**Recommendation 208:**

Implement a system for risk based audit related to tax compliance

A tax database that captures data effectively on tax payments and compliance can be used by the tax authority to identify the most high-risk tax payers. This allows tax audits and inspections to be targeted at cases that pose risk, instead of being conducted uniformly across all businesses, many of which may be of a very small scale or may partake in small transactions only. This also increases the efficiency of the tax audit process, by reducing the workload on officials who undertake these audits. The criteria that define the risk parameters should be clearly defined in a government notification or circular, and can also be built into advanced tax registration, filing and payment systems

**Recommendation 209:**

Introduce a system for advance tax ruling for State level taxes on the lines of Income Tax Act

Advance tax provisions allow businesses to pay taxes upfront, and thereby reduce their cost of compliance. Such provisions should be built in to the state's VAT and other tax laws, so that they can be enforced.

**Recommendation 210:**

Publish forms relating to information captured at check posts been made available online

**Recommendation 211:**

Phased out static check posts and implement random checking by mobile squads

These questions relates to a transparent, risk-based approach to ensure tax compliance for goods moving through a state. In line with the other risk-based inspections discussed throughout this document, risk based mobile check posts can be more efficient than static check posts that seek to examine every single truck, by allowing officials to focus on those that pose the highest risk. A first step in this regard is to allow entrepreneurs to generate waybills, transit forms and other check post related forms through an online interface. This online system can then be enhanced with filters that allow random sampling or other risk based criteria, which is then sent to the mobile squads who can then inspect the specific outliers. This can reduce the time taken for domestic transshipment of goods and therefore spur greater domestic and international trade.



## Area 8d: Registration for Value Added Tax (VAT)

### Recommendation 212:

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### Recommendation 214:

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 216:** Allow third parties to easily verify approval certificates in the public domain

### Recommendation 213:

Define clear timelines mandated through legislation for approval of complete application

### Recommendation 215:

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
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  - Entrepreneurs should be able to fill out and submit the application form online;
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  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 8e: Registration for Central Sales Tax (CST)

### Recommendation 217:

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### Recommendation 219:

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for

### Recommendation 218:

Define clear timelines mandated through legislation for approval of complete application

### Recommendation 220:

Ensure that the system allows users to download the final signed approval certificate from the online



document submission and verification portal.

**Recommendation 221:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 8f: Registration for Professional Tax

**Recommendation 222:**

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

**Recommendation 224:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 223:**

Define clear timelines mandated through legislation for approval of complete application

**Recommendation 225:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

**Recommendation 226:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.



- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 8g: Registration for Entry Tax

### Recommendation 227:

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### Recommendation 229:

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 231:** Allow third parties to easily verify approval certificates in the public domain

### Recommendation 228:

Define clear timelines mandated through legislation for approval of complete application

### Recommendation 230:

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents



through the online system.

- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 8h: Registration for Entertainment Tax

### Recommendation 232:

Ensure information on the procedure and a comprehensive list of all documents that need to be provided are available on the web site

### Recommendation 234:

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 236:** Allow third parties to easily verify approval certificates in the public domain

### Recommendation 233:

Define clear timelines mandated through legislation for approval of complete application

### Recommendation 235:

Ensure that the system allows users to download the final signed approval certificate from the online portal.

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.

## Area 8i: Registration for Luxury Tax

### Recommendation 237:

Ensure information on the procedure and a comprehensive list of all documents that need to be

### Recommendation 238:

Define clear timelines mandated through legislation for approval of complete application



provided are available on the web site

**Recommendation 239:**

Design and implement a system that allows online application, payment, tracking and monitoring without the need for a physical touch point for document submission and verification

**Recommendation 240:**

Ensure that the system allows users to download the final signed approval certificate from the online portal.

**Recommendation 241:** Allow third parties to easily verify approval certificates in the public domain

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps, from application submission to application approval, is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A comprehensive list of the documents that need to be submitted as part of the application is included on the website.
- Clear timelines are notified, either on the portal, or through a notification and citizen charter.
- The application can be made online, through a portal with the following features:
  - Entrepreneurs should be able to fill out and submit the application form online;
  - The user can pay all associated fees online;
  - Once submitted, the applications are processed and approved by each licensing agency online, and not through a manual or hard copy process;
  - The user can track the status of his applications online using the portal; and
  - Once approved, the user can obtain the approval or registration certificate online through the portal.
- There are no physical touch-points in the application process. This means that entrepreneurs are not required to physically present and submit all documents for verification before the certificate is issued. Instead, entrepreneurs can use digital signature certificates to submit their documents through the online system.
- Once approval is obtained, the signed certificate – either digitally signed or signed manually and scanned – should be made available for download from the website by the user.
- Third parties/other users should be able to check the authenticity of the document online, using the certificate number or other unique reference, by visiting the portal.



## Area 9a: Inspection reform enablers

<p><b>Recommendation 242:</b></p> <p>Differentiate compliance inspection requirements based on risk profile (such as High, Medium and Low risk) of industries under all labour laws</p>	<p><b>Recommendation 243:</b></p> <p>Exempt low risk industries with a history of satisfactory compliance from labour compliance inspections, or allow self-certification in lieu of conducting physical inspections under all Labour laws</p>
<p><b>Recommendation 244:</b></p> <p>Differentiate compliance inspection requirements based on industry pollution categorization such as Red, Amber, and Green under all environment/pollution laws</p>	<p><b>Recommendation 245:</b></p> <p>Exempt Green industries with a history of satisfactory compliance from environmental compliance inspection, or allow self-certification (in lieu of conducting physical inspections)</p>
<p><b>Recommendation 246:</b></p> <p>Allow for third party certifications instead of Departmental inspections under all labour and environment/pollution laws for medium risk industries</p>	

These recommendations are targeted to provide streamlined compliance inspection regimes for industries on the basis of their relative risk or hazard levels. The prerequisite to enable this streamlined and differentiated environment is first to make provisions for different categories of industries based on the risk posed by the industries.

The relative risk of an industry arises from a combination of factors. From an environmental compliance perspective, the risk categorization is already complete, as most states already classify industries as either Green, Red or Amber based on their pollution and discharge potential. In the area of Labour inspections, there are a number of other factors that must be taken into account, including nature of production processes, number of employees, etc.

From a Labour perspective, therefore, the first step will be to identify these criteria or underlying factors, and categorize existing industries into Low, Medium or High risk categories on the basis of these criteria. To fully guard against the potential of fraud, a satisfactory compliance record for three or more years can be counted as a criteria for Low or Medium risk industries. These categorizations should be notified through a State notification to be fully enacted.

Once enacted, the objective of these recommendations is to promote a differentiated and streamlined inspection environment for businesses on the basis of their Labour or Environmental risk, as follows:

- Low Labour Risk and/or Green industries that exhibit a satisfactory history of compliance can be exempted from compliance inspections altogether, or the compliance inspection can be substituted with a self-certification mechanism.
- Medium Labour Risk and/or Amber industries that exhibit a satisfactory history of compliance can have their physical compliance inspections replaced with a third party inspection, conducted by an empaneled list of accredited third party inspection agencies.
- High Labour Risk and/or Red industries will have to undergo physical compliance inspections annually as per current practice.

To ensure that industries are not taking undue advantage of these streamlined inspection regimes through misrepresentation, states may choose to continue to allow surprise inspections to occur on the basis of complaints received and subject to approval from the Head of Office/Magistrate of the State Government as appropriate.



**Recommendation 247:**

Allow for synchronized/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*

Businesses that have to deal with multiple inspections from the same agency several times a year face higher compliance time and cost burdens in dealing with inspections. The inspections above are related to the compliance function of the Labor Department, and can easily be converted into a single joint inspection. To enable this, the Labor Department must issue a notification, as well as publish a single checklist and procedures for undertaking this single inspection. This can drastically reduce the burden on the limited inspector base available to states as well, and enable more efficient identification of violations while laying out comprehensive plans to correct any violations that are detected.

## Area 9b: Inspection of the business premises for VAT (Value Added Tax) registration

**Recommendation 248:**

Publish a well-defined inspection procedure and checklist on department's web site

**Recommendation 249:**

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

**Recommendation 250:**

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

**Recommendation 251:**

Allow users to login to the portal and view and download submitted inspection reports on their businesses

**Recommendation 252:**

Design and implement a system for computerized allocation of inspectors

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either



by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.

- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.

## Area 9c: Inspection by Building Proposal Office/ relevant agency as part of obtaining construction permit

### Recommendation 253:

Publish a well-defined inspection procedure and checklist on department's web site

### Recommendation 255:

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

### Recommendation 257:

Design and implement a system for computerized allocation of inspectors

### Recommendation 254:

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

### Recommendation 256:

Allow users to login to the portal and view and download submitted inspection reports on their businesses

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.



## Area 9d: Inspection by Appropriate Authority for felling trees (prior to commencement of construction activities)

### Recommendation 258:

Publish a well-defined inspection procedure and checklist on department's web site

### Recommendation 260:

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

### Recommendation 262:

Design and implement a system for computerized allocation of inspectors

### Recommendation 259:

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

### Recommendation 261:

Allow users to login to the portal and view and download submitted inspection reports on their businesses

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.

## Area 9e: Inspection by Building Proposal Office/ relevant agency as part of obtaining occupancy certificate

### Recommendation 263:

Publish a well-defined inspection procedure and checklist on department's web site

### Recommendation 265:

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

### Recommendation 264:

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

### Recommendation 266:

Allow users to login to the portal and view and download submitted inspection reports on their



businesses

**Recommendation 267:**

Design and implement a system for computerized allocation of inspectors

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.

## Area 9f: Compliance Inspections under The Equal Remuneration Act, 1976

**Recommendation 268:**

Publish a well-defined inspection procedure and checklist on department's web site

**Recommendation 270:**

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

**Recommendation 272:**

Design and implement a system for computerized allocation of inspectors

**Recommendation 269:**

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

**Recommendation 271:**

Allow users to login to the portal and view and download submitted inspection reports on their businesses

**Recommendation 273:**

Mandate that the same inspector will not inspect the same establishment twice consecutively

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and



the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.

- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase transparency and reduce potential for corruption.

## Area 9g: Compliance Inspections under The Factories Act, 1948

### Recommendation 274:

Publish a well-defined inspection procedure and checklist on department's web site

### Recommendation 276:

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

### Recommendation 278:

Design and implement a system for computerized allocation of inspectors

### Recommendation 275:

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

### Recommendation 277:

Allow users to login to the portal and view and download submitted inspection reports on their businesses

### Recommendation 279:

Mandate that the same inspector will not inspect the same establishment twice consecutively

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase



transparency and reduce potential for corruption.

## Area 9h: Compliance Inspection under The Minimum Wages Act, 1948

<p><b>Recommendation 280:</b> Publish a well-defined inspection procedure and checklist on department's web site</p>	<p><b>Recommendation 281:</b> Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment</p>
<p><b>Recommendation 282:</b> Mandate online submission of inspection report within 48 hours to the Department</p>	<p><b>Recommendation 283:</b> Allow users to login to the portal and view and download submitted inspection reports on their businesses</p>
<p><b>Recommendation 284:</b> Design and implement a system for computerized allocation of inspectors</p>	<p><b>Recommendation 285:</b> Mandate that the same inspector will not inspect the same establishment twice consecutively</p>

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase transparency and reduce potential for corruption.

## Area 9i: Compliance Inspection under The Shops and Establishments Act (as applicable)

<p><b>Recommendation 286:</b> Publish a well-defined inspection procedure and checklist on department's web site</p>	<p><b>Recommendation 287:</b> Design and implement a system for identifying establishments that need to be inspected based on</p>
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**Recommendation 288:**

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

**Recommendation 290:**

Design and implement a system for computerized allocation of inspectors

computerized risk assessment

**Recommendation 289:**

Allow users to login to the portal and view and download submitted inspection reports on their businesses

**Recommendation 291:**

Mandate that the same inspector will not inspect the same establishment twice consecutively

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase transparency and reduce potential for corruption.

## Area 9j: Compliance Inspection under The Payment of Bonus Act, 1965

**Recommendation 292:**

Publish a well-defined inspection procedure and checklist on department's web site

**Recommendation 294:**

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

**Recommendation 296:**

Design and implement a system for computerized allocation of inspectors

**Recommendation 293:**

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

**Recommendation 295:**

Allow users to login to the portal and view and download submitted inspection reports on their businesses

**Recommendation 297:**

Mandate that the same inspector will not inspect the same establishment twice consecutively

The ideal system covered by these questions includes the following criteria:



- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase transparency and reduce potential for corruption.

## Area 9k: Compliance Inspection under The Payment of Wages Act, 1936

### Recommendation 298:

Publish a well-defined inspection procedure and checklist on department's web site

### Recommendation 299:

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

### Recommendation 300:

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

### Recommendation 301:

Allow users to login to the portal and view and download submitted inspection reports on their businesses

### Recommendation 302:

Design and implement a system for computerized allocation of inspectors

### Recommendation 303:

Mandate that the same inspector will not inspect the same establishment twice consecutively

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure



that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.

- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase transparency and reduce potential for corruption.

## Area 9I: Compliance Inspection under The Payment of Gratuity Act, 1972

### Recommendation 304:

Publish a well-defined inspection procedure and checklist on department's web site

### Recommendation 306:

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

### Recommendation 308:

Design and implement a system for computerized allocation of inspectors

### Recommendation 305:

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

### Recommendation 307:

Allow users to login to the portal and view and download submitted inspection reports on their businesses

### Recommendation 309:

Mandate that the same inspector will not inspect the same establishment twice consecutively

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase transparency and reduce potential for corruption.

## Area 9m: Compliance Inspection under The Contract Labour (Regulation and Abolition) Act, 1970

<p><b>Recommendation 310:</b> Publish a well-defined inspection procedure and checklist on department's web site</p>	<p><b>Recommendation 311:</b> Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment</p>
<p><b>Recommendation 312:</b> Mandate online submission of inspection report within 48 hours to the Department</p>	<p><b>Recommendation 313:</b> Allow users to login to the portal and view and download submitted inspection reports on their businesses</p>
<p><b>Recommendation 314:</b> Design and implement a system for computerized allocation of inspectors</p>	<p><b>Recommendation 315:</b> Mandate that the same inspector will not inspect the same establishment twice consecutively</p>

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase transparency and reduce potential for corruption.

## Area 9n: Compliance Inspection under The Water (Prevention & Control of Pollution) Act, 1974

<p><b>Recommendation 316:</b> Publish a well-defined inspection procedure and checklist on department's web site</p>	<p><b>Recommendation 317:</b> Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment</p>
<p><b>Recommendation 318:</b></p>	<p><b>Recommendation 319:</b></p>



Mandate online submission of inspection report within 48 hours to the Department	Allow users to login to the portal and view and download submitted inspection reports on their businesses
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**Recommendation 320:**

Design and implement a system for computerized allocation of inspectors

**Recommendation 321:**

Mandate that the same inspector will not inspect the same establishment twice consecutively

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.
- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase transparency and reduce potential for corruption.

## Area 9o: Compliance Inspection under The Air (Prevention and Control of Pollution) Act, 1981

**Recommendation 322:**

Publish a well-defined inspection procedure and checklist on department's web site

**Recommendation 323:**

Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment

**Recommendation 324:**

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

**Recommendation 325:**

Allow users to login to the portal and view and download submitted inspection reports on their businesses

**Recommendation 326:**

Design and implement a system for computerized allocation of inspectors

**Recommendation 327:**

Mandate that the same inspector will not inspect the same establishment twice consecutively

The ideal system covered by these questions includes the following criteria:

- The detailed procedure covering all applicable steps and the comprehensive inspection



checklist/form is published online on department's website. It may be supplemented with process maps if available; in any case, the details should be published explicitly and should not refer to Acts or rules.

- A specific provision must be made by the state government or by the associated agencies that inspection reports must be submitted within 48 hours through a notification or circular.
- The inspector allocation system must be linked to the online application and approval system, and the approval authority should be able to allocate inspectors once applications are submitted either by jurisdiction or randomly. The inspector should also have an online workspace within the system where they can see their inspection workflows and submit their reports.
- Inspectorates should define risk criteria to ensure that are programmed into the system to ensure that inspections occur only for certain high-risk categories, instead of in 100% of the applications. This can reduce burden on the limited inspectors, while increasing the efficiency and effectiveness of inspections and the available human resources by reducing the burden on low risk business while ensuring that high-risk businesses are adequately monitored.
- The signed inspection report – either digitally signed or signed manually and scanned – should be made available for viewing and downloading by the user on the portal or the website.
- Inspectors should be assigned randomly for inspections in consecutive years in order to increase transparency and reduce potential for corruption.



## Area 10a: Commercial Dispute Resolution Enablers

### Recommendation 328:

Establish a specialized division/bench under the High Court to hear commercial cases

### Recommendation 329:

Establish specialized courts at the district court level to resolve commercial disputes

### Recommendation 330:

Ensure at least 90% of the vacancies in District courts/Commercial courts been filled up

### Recommendation 335:

Publish model contract templates and guidelines on department's website that may be used for commercial contracts

The objective of the questions above is to understand the readiness of the state's judicial system to reduce the backlog in courts. These measures can help reduce the time taken to enforce contracts by providing efficient judgments in commercial cases without undue delay in various ways:

- Specialized commercial courts at High Courts and District Courts can focus on contract disputes exclusively, thereby reducing the requirement for complainants and defendants to wait for delayed judgments through the regular court system. This can reduce the time and the cost of enforcing contracts.
- Model contract templates and guidelines can help standardize contracts with standards terms and conditions that are easily enforceable. The absence of such templates means various contracts are executed with loopholes that can be exploited by filing a court case.
- Recruiting judges and ensuring that vacancies are filled up can help ensure that there are sufficient judges in place to deal with disputes, thus tackling the backlog as well as rendering judgments more efficiently in future cases.
- These measures should be notified appropriately through the relevant legislation or notification issued by the state governments.

### Recommendation 331:

Mandate pre-trial discovery for cases in commercial matters

In commercial cases, much of the evidence presented is documentary in nature. A pre-trial discovery process allows legal counsel for both parties to review the documentary evidence, raise issues or questions with evidence, and address these concerns ahead of the commencement of the trial. This can assist in speeding up dispute resolution by courts by ensuring that the trial is not delayed through the introduction of frivolous or irrelevant documentary evidence midway through the trial process – such submissions can require judges to devote valuable time to review and decide on.

### Recommendation 333:

Allow pre-trial conferences as part of case management techniques

A pretrial conference is a hearing to narrow down contentious issues and evidentiary questions before the trial, explore the case's complexity and the projected length of trial, create a schedule of the proceedings and check with the parties on the possibility of settlement. Having a pretrial conference is a common case management tool globally, used in 87 economies till date. During the pretrial conference, at least three of the following issues should be discussed: (i) scheduling (including the time frame for filing motions and other documents with the court); (ii) case complexity and projected length of trial; (iii) possibility of settlement or alternative dispute resolution; (iv) exchange of witness lists; (v) evidence; (vi) jurisdiction and other



procedural issues; and (vii) the narrowing down of contentious issues.

**Recommendation 332:**

Set clear timelines for examining witnesses and a court-appointed independent expert in commercial cases

The absence of clear timelines for witness examination means that litigants may delay court proceedings through frivolous questioning practices or other means, and may even introduce irrelevant witnesses to delay the case proceedings. Ensuring clear timelines exist for examining witnesses and independent experts may reduce the time taken to hear and decide on a case.

**Recommendation 334:**

Merge payment of court fees and process fees into a single transaction/procedure

Multiple payments impose additional burdens on lawyers and litigants, whereas merging these fees may not only reduce the burden, but may also enable easier online fee payment as part of electronic case flow management systems.

## Area 10b: Paper-less Courts

**Recommendation 336:**

Design and implement a system to allow for e-filing for commercial disputes in District courts/Commercial courts

**Recommendation 338:**

Design and implement a system to allow for publishing e-cause lists for commercial disputes in District courts/Commercial courts

**Recommendation 340:**

Design and implement a system to allow for issuing digitally signed court orders in District courts/Commercial courts

**Recommendation 337:**

Design and implement a system to allow for e-summons for commercial disputes in District courts/Commercial courts

**Recommendation 339:**

Design and implement a system to allow for e-payments for court fees and process fees for commercial disputes in District courts/Commercial courts

- The questions above examine the state's readiness to introduce electronic court systems. Such systems have been found globally to greatly reduce the time and cost associated with filing, administering, tracking and resolving legal disputes; further, they allow for more efficient record management in courts and thereby reduce the administrative costs associated with judicial administration. The questions above seek to examine whether an electronic case management system exists, and, if so, whether it includes features that allow electronic summons, payments, cause lists and court orders, thereby increasing transparency of court decision-making. Online payment should be integrated with the payment gateway.
- More advanced systems globally are also integrated with property records, thereby allowing the land records to also cover legal encumbrances so that potential land-buyers are aware of outstanding litigation and court judgments on the land they are planning to purchase.

