

RULES AND REGULATIONS GOVERNING DHABA IN AJMER CITY

State: Rajasthan

Details of licensing are as follows:

In Ajmer, dhaba's are regulated as per the directions of Ajmer city (hotel, restaurants, bakery, sweets, pan etc control and regulation) by laws,1977 which is made under the Rajasthan municipal law 1959 section B part III and I .Details of the licensing procedures are as follows.

Licensing Procedures:

Ajmer Nagar Nigam issues two license based on the regulations set down by the Rajasthan Municipalities Act and Prevention of Food Adulteration Act 1954.

As per the Byelaw, to apply for a license, application needs to be made on a specified application form which can be obtained for 50 paise from the municipal corporation office and has to be submitted along with the map of the proposed site after being passed, the specific amount of money has to be submitted after which the officer issues the license. If any problems are found, the applicant is made aware of those which have to be corrected within the specified time failing which the application would be considered null and void.

Temporary License:

If a person wants to open a hotel, dhaba etc. at a place for a specified time, a temporary license is issued right then the validity of which would not be more than a month. The prescribed fee of such a license would be 1/6th of the usual fee.

Issue of License and License Fees:

The time limit to issue the license is not prescribed in the act. The time taken depends on the time taken by the committee meetings and the time taken by the applicant to submit fees. After the satisfactory validation of the documents, license is provided without any delay.

Time period is not fixed but after site inspection by the inspector department issue the license in 15 to 30 days. PFA (Prevention of Food Adulteration Act) license is given within the duration of 1st January and 30th December and Under the Rajasthan Municipalities Act, license is given within the period of a financial year.

License Fees:

PFA (Prevention of Food Adulteration Act) license is given within the duration of 1st January and 30th December and the fee has been fixed at Rs.12 for every license year. For license under Rajasthan Municipal Act, the following fees are charged.

| Name of business | License fee(in Rs.) |
|--|--|
| Tea shop | 50 |
| Ice, soda, lemon sherbet manufacture/shop | 100 if made and sold by hawkers 500 if made and sold by factories |
| sweet shop | 100 if made out of vansapati 500 if made out of ghee |
| Paan shop | 50 |
| hawkers | 50 |

Renewal of License:

The license would be valid only for a year from 1st April to 31st march. License obtained after 1st October the license fee would be half the stipulated amount and those obtained after 1st January would be one-fourth the amount. The renewal would not be done if the officer has any objection to it. The licensee would be informed about the non-renewal through correspondence. The renewal can be done by 15th April once the license lapses. After that the licensee would have to pay a late fee of 25 paise per day. As per rules the validity of P.F.A license lasts from 1st January to 31st December and R.M license lasts from 1st April to 31st march.

Inspection:

Applicant would keep a register in the place of work which would always stay open under the responsibility of a member of the chairman's council. Any person authorized by the health officer or ayukta can enter the place under scrutiny at any time during the office hours and would inspect food, crockery, furniture and provide a report to license officer. It is mandatory for the owner to comply.

If any food unsuited for human consumption is found, the owner would be considered as a violator of the by laws. In case of small violation of quality rules, the license office would send the applicant a notice in the hope that the directions given would be complied with.

Timings:

As per Rajasthan Shops and Establishments Act 1958, no establishment on any day can be opened earlier than and closed later the hours prescribed by Government by general or special order. The government will fix the time after making an enquiry in the prescribe manner on the opening and closure of shops and establishments in local area

Appeal:

An appeal can be filed within 30 days of any directions or commands as given by any official under these by laws.

Punishment:

As reported in Hotel Byelaws, In case of a violation, the license may be scrapped. Under part I, the violator would get a chance for explaining the reason for violation in front of the court. Apart from being de-licensed, he or she would also be told about the by laws. On violation of any clause, the accused will be tried in the presence of an able punishing authority and if found guilty would be up to fined Rs.500 and if constantly found guilty would be fined Rs.1 per day. All kinds of claims on the owner would be made under chapter 8 of the specific act.

Reconciliation:

According to the provisions of reconciliation rules, 1966 the chairman and the violator can reach a reconciliation.