

THE LIVELIHOOD REGULATIONS REPORT

CHANDIGARH



PREPARED BY



IN PARTNERSHIP WITH



Centre for Civil Society

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PREFACE

The Livelihood regulations report aims at documenting the livelihood regulations and barriers in the informal sector. It was conducted in 63 cities across India where the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) is being implemented. This project was conducted by Centre for Public Policy Research, Cochin in partnership with Centre for Civil Society, New Delhi and is financed by Sir Dorabji Tata Trust (SDTT), Mumbai.

The report aims to unveil the laws applicable to entry-level professions like Auto Rickshaws, Barber Shops, Dhaba's, Meat Shops and mobile/stationary street vegetable/fruit vendors. These documents will effectively draw public attention to the issues faced by the entry-level professions in the informal sectors.

Chandigarh, also called *City Beautiful*, is a city in India that serves as the capital of two states, Punjab and Haryana, and is a union territory of India. The name translates from Hindi to English as "the fort of Chandi", Chandi being a Hindu Goddess.

Known internationally for its architecture and urban planning, Chandigarh is home to numerous architectural projects of Le Corbusier, Pierre Jeanneret, Matthew Nowicki, and Albert Mayer. The city boasts a high standard of living with the highest per capita income in the country and tops the list of Indian States and Union Territories with a Human Development Index of 0.674.

As of 2001 India census, Chandigarh had a population of 900,635, making for a density of about 7900 persons per square kilometre. Males constitute 56% of the population and females 44%. The sex ratio is 777 females for every 1,000 males which is the lowest in the country. Chandigarh has an average literacy rate of 81.9%, higher than the national average of 64.8%; with male literacy of 86.1% and female literacy of 76.5%. About 12% of the population is under 6 years of age.

The main religions in Chandigarh are Hinduism (78.6%), Sikhism (16.1%), Islam (3.9%), and Christianity (0.8%). Hindi and Punjabi are the main languages spoken in Chandigarh, although these days English has also gained some popularity. People speaking Tamil form the third biggest linguistic group in Chandigarh. (Census of India 1991). A small number of people also speak Urdu. However, the most common language for informal communication, especially among the youth of the city is a combination of Hindi, Urdu and English.

A significant percentage of the population of Chandigarh consists of people who had moved here from the neighboring states of Punjab and Haryana to fill up the large number of vacancies in various government departments that were established in Chandigarh.

Municipal Corporation of Chandigarh incorporated under the ordinance of Punjab Municipal Corporation Act in 1976. It was formed in the year 1994

The present study on livelihood regulations in Chandigarh covers dhaba's, cobbler's, cycle rickshaw, meat Shop and barbershop .

CHANDIGRAH:

The sectors chosen for the study are:

- 1. Dhabha**
- 2. Cobblers**
- 3. Cycle Rickshaw**
- 4. Meat Shop**
- 5. Barber shop**

The trades in Chandigarh are regulated by the Municipal Corporation of Chandigarh as per the provisions provided in the section 343 of the Punjab Municipal Corporation law (Extension to Chandigarh) Act, 1994. In addition Prevention of food adulteration act is applicable for food related items. The Cycle rickshaws has to follow the Punjab Cycle Rickshaws regulation of License (1976)

As per the Section 3 of the Punjab Municipal Corporation Act, The Punjab Municipal Act, 1911 in so far as it applies to the union territory of Chandigarh or any part thereof shall stand repealed on the coming into force of this Act.

Provided that the repeal shall not affect the previous operation of the Punjab Municipal Act 1911 so repealed or anything duly done or suffered there under or any right, privilege, obligation or liability acquired, accrued or incurred under the said Act so repealed, or any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation or liability as aforesaid and any such investigation, legal proceeding or remedy may be instituted, continued or enforced as if this Act had not been passed.

Provided further that, subject to the proceeding provisions, anything done or any action taken under the Act shall be deemed to have been done or taken under the corresponding provisions of the Act not extended to that union territory, and shall continue to be in force accordingly unless and until suspended by anything done or any action taken under the Act. In every law or notification passed or issued before the commencement of the Act which reference is made or any provisions of the Act repealed depending on the practicality can be taken to the corresponding chapter or section.

As per section 4, the central government can appoint a special officer to the Municipal Corporation of Chandigarh until the day on which the first meeting of the corporation is held after the commencement of the act without withstanding any provisions of the Act. As per section 5 The Punjab Municipal corporation Law (Extension to Chandigarh) ordinance, 1994 is repealed. Not withstanding such repeal, anything done or any action taken under the ordinance so repealed shall be deemed to have been done under the corresponding provisions of the Act.

Thus it is clear that the Punjab Municipal Corporation Act, 1976 is applicable to the union territory of Chandigarh as per the provisions of the Punjab Municipal corporation Law (Extension to Chandigarh) ordinance, 1994. So the Trade licensing will be as per the regulations of Punjab Municipal Corporation Act, 1976.

The trade wise details are as follows:

I.DHABA:

Dhaba is regulated by the Municipal Corporation of Chandigarh as per the provisions provided in the section 343 of the Punjab Municipal Corporation law (Extension to Chandigarh) Act, 1994. In addition Prevention of food adulteration act is applicable for food related items.

One has to get a license from the Municipal Corporation of Chandigarh for running a dhabha as per the U/S 343 of Punjab Municipal Corporation Act 1976. As per the section 343, no person shall use or permit to be used any premises for any of the following purposes without or otherwise than in conformity with the terms of a license granted by the Commissioner. The list of the purposes listed in the Act includes:

1. any of the purposes specified in Part I of the second Schedule;
2. any purpose which is, in the opinion of the Commissioner (dangerous to life, health or property or likely to create a nuisance;
3. keeping horses, cattle or other quadruped animals or birds for transportation, sale or hire or for sale of the produce thereof; or
4. storing any of the articles specified in Part II of the second Schedule except for domestic use of any of those articles :

Provided that the Corporation may declare that premises in which the aggregate quantity of articles stored for sale does not exceed such quantity as may be prescribed by bye-laws in respect of any such articles shall be exempted from the operation of clause (d).

The act also says that the corporation can fix a scale of fees to be paid in respect of premises licensed under sub-section (1) and that fee shall not exceed such amount, as may be fixed by the Government from time to time.

As per section 346, No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner can hawk or expose for sale in any place any article. This can be for human consumption or not.

As per section 347, No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner in this behalf, keep any eating house, lodging house, hotel, boarding house, tea shop, coffee house, cafe, restaurant, refreshment room or any place where the public are admitted for repose or for the consumption of any food or drink or any place where food is sold or prepared for sale. The Commissioner may at any time cancel or suspend any license granted if he is of opinion that the premises covered thereby are not kept in conformity with the conditions of such license or with the provisions of any bye-law made in this behalf, whether the licensee is prosecuted under this Act or not.

As per section 349, If the Commissioner is of opinion that any eating house, lodging house, hotel, boarding house ,tea shop, coffee house, cafe, restaurant, refreshment room or other place where the public are admitted for repose or for consumption of any food or drink or where food is sold or prepared for sale or any theatre, circus, cinema, house, dancing hall or similar other place of public resort, recreation or amusement is kept open without a license or otherwise, than in conformity with the terms of a license granted in respect

thereof, he may stop the use of any such premises for any such purpose for a specified period by such means as he may consider necessary. So the eating houses need a license.

Licensing Procedure:

As per the Punjab Municipal corporation Law (Extension to Chandigarh) ordinance, 1911 and the further amendment in 1994, the rules and regulations of Chandigarh is as per the Punjab Municipal Corporation Act 1976. So Chandigarh is following the same procedures for licensing as some where else in Punjab.

The person has to apply in the prescribed form costing around Rs.10/- and the person will have to get the NO-Objection certificate from neighbors as well as Municipal Town Planners and other departments in regard to Fire Brigade, House tax and Water Supply and Sewerage.

No Objection certificates:

No Objection Certificate from M.T.P (Municipal Town Planning):

For a commercial establishment, a building plan is required to be sanctioned from Municipal Corporation and before occupation and to start commercial business, a completion certificate as per under section 272(2) of Punjab Municipal Corporation Act 1976 is required.

Before issuing the N.O.C (NO-Objection certificate) the site inspection will be conducted by the area building inspector. The status of building, sanction of the building plan, fees paid etc. will be checked by the area building inspector at the time of inspection. The No Objection Certificates pertaining to the electric connections to the commercial establishments is issued by the Assistant Town Planner within one week, though there is no time schedule. There is no fixed validity period for the NOC'S and the state Electric city Board checks the NOC issued by corporation before issuing electric connection. There is no prescribed Performa for N.O.C after issuing the NOC, no physical verification is done.

Before issuing the NO-Objection certificate the following documents must be submitted:

1. Sale deed in support of the ownership
2. Sanctioned building plan/receipt of composition fee paid in respect of the building for which NOC is required, if it newly constructed
3. Before issuing N.O.C. Rs.1000/-as the prescribed fee is realized

No Objection certificate from Fire Brigade:

The No Objection certificate from Fire Brigade is issued as per the provisions of ISI-2190(Indian Standard Industries rules). A Building Plan must be submitted in advance and no need to pay any fees for this NO-Objection Certificate. The Premises will be verified physically as per the Guidelines of ISI and National Building Code. The Requirement of premise is as per the ISI and National Building Code Provisions. 7-10 days are required to issue NO-Objection certificate. The Validity of NO-Objection certificate is one year. After issuing the N.O.C, the premise will be checked by the department once in a year.

No –Objection certificate from Neighbours:

It is collected from the neighbours in the shape of their signatures with complete address in prescribed Performa

No Objection Certificate from House tax:

Nothing due Certificate to certify that the applicant have no house tax standing unpaid on the property is required. This copy will be sent to the applicant too. After that process, the department will check the records and N.O.C will be given accordingly.

No Objection certificate from Water Supply and Sewage Department:

All the consumers who have the approved connection of water and sewage can get the No Objection Certificate by simply applying on a paper in application and attached copy of water and sewage bill at any time. No charges are taken from the applicant by the department for issuing it. Before issuing the certificate, the account is checked by the assistant engineer/field staff at the zonal office. On the basis of documents, No –Objection Certificate is issued.

Documents Required:

1. Filled form
2. No Objection Certificate from neighbors, Municipal Town Planners, Fire Brigade, House Tax and Water Supply and Sewage Department.

Verification:

The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbours.

License Fees:

A fee of Rs.50, Prevention of Food Adulteration Act fee Rs.12/- and Conservancy fee Rs.100/-

Fees Remittance:

The fees remittance can be done in the license department itself.

Issue of License:

The License will be issued after the submission of documents and after completing the formalities from the license inspector, reports from Municipal town planners and fire brigade

License Duration:

One year

License Renewal:

The person has to submit the filled form and has to produce the previous license receipt. The fees are equal to new license. But in the month of March, it will be 10% less, and from April to June, it will be 25% and July to September 50% and from October 100% penalty will be charged. The applicant does not have to submit again the No-Objection Certificate. Persons who get licenses renewed before 30th March shall be allowed rebate of 10% in license fee.

Other Formalities:

1. The license is to be checked by the staff of licensing department
2. Blank copy of license can not be provided. It will be provided only after adopting the Rules and Regulations of the Municipal Corporation
3. After the issue of license, there is no need to visit the physical verification or checking the premises after the issue of license
4. No further checking will be there after the issue of license

Penalty:

Licenses must be obtained before or on 30th April of every year. In case of failure penalty shall be recovered as under:-

Period	Month	Fine a amount
Up to	30 th June	25%
Up to	30 th September	50%
From	1 st October onwards.	100 %

II.COBLERS:

Cobblers are regulated by the Municipal Corporation of Chandigrah as per the provisions provided in the section 343 of the Punjab Municipal Corporation law (Extension to Chandigrah) Act, 1994.

The procedures for cobblers are same as that of dhaba's except the license fees. Part I of the schedule annexed to the act which was framed under the Section 343 (1)" of Punjab M.C. Act proves that cobblers needs a license. One has to get a license from the Municipal Corporation of Chandigrah as per the U/S 343 of Punjab Municipal Corporation Act 1976. As per the section 343, No person shall use or permit to be used any premises for any of the following purposes without or otherwise than in conformity with the terms of a license granted by the Commissioner. The list of the purposes listed in the Act includes:

1. any of the purposes specified in Part I of the second Schedule;
2. any purpose which is, in the opinion of the Commissioner (dangerous to life, health or property or likely to create a nuisance;

3. keeping horses, cattle or other quadruped animals or birds for transportation, sale or hire or for sale of the produce thereof; or
4. storing any of the articles specified in Part II of the second Schedule except for domestic use of any of those articles :

Provided that the Corporation may declare that premises in which the aggregate quantity of articles stored for sale does not exceed such quantity as may be prescribed by bye-laws in respect of any such articles shall be exempted from the operation of clause (d).

The act also says that the corporation can fix a scale of fees to be paid in respect of premises licensed under sub-section (1) and that fee shall not exceed such amount, as may be fixed by the Government from time to time.

As per section 346, No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner can hawk or expose for sale in any place any article. This can be for human consumption or not.

As per section 332, no person shall, without the general or special permission in writing of the Commissioner, sell or expose for sale any animal or article in any municipal market. Any person contravening the provisions of sub-section (1), and any animal or article exposed for sale by such person, may be summarily removed from the market by or under the orders of the Commissioner or any officer or employee of the Corporation authorized by the Commissioner.

As per section 337, No animal or article shall be sold or exposed for sale within a distance of one hundred yards of any municipal market or licensed private market without the permission of the Commissioner. Any person contravening the provision of sub-section (1) and any animal or article exposed for sale by such person may be summarily removed by or under the orders of the Commissioner or any officer or employee of the Corporation appointed by him in this behalf. So cobblers need a license to operate in Chandigrah.

Licensing Procedure:

As per the Punjab Municipal corporation Law (Extension to Chandigrah) ordinance, 1911 and the further amendment in 1994, the rules and regulations of Chandigrah is as per the Punjab Municipal Corporation Act 1976. So Chandigrah is following the same procedures for licensing as some where else in Punjab.

The person has to apply in the prescribed form costing around Rs.10.and the person will have to get the NO-Objection certificate from neighbors as well as Municipal Town Planners and other departments in regard to Fire Brigade, House tax and Water Supply and Sewerage.

Licenses are issued under Section 343 of Punjab Municipal Corporation Act 1976.The procedures for cobblers are same as that of dhaba's except the license fees. Part I of Section 343 (1)" of Punjab Municipal Corporation Act says that the cobblers can be a person works alone manually.

Licensing Procedure:

In Chandigarh licenses are issued Under Section 343 of Punjab Municipal Corporation Act 1976. As per the information provided by the Municipal Corporation, Cobblers have exactly the same procedures of dhaba except the fees. For a license the person has to apply in the prescribed form costing around Rs.10/- and the person will have to get the NO-Objection certificate from neighbors as well as Municipal Town Planning, Fire Brigade, House tax and Water Supply and sewerage departments.

No Objection certificates:

No Objection Certificate from M.T.P (Municipal Town Planning):

Generally for a commercial establishment, a building plan is required to be sanctioned from Municipal Corporation and before occupation and to start commercial business, a completion certificate as per u/s 272(2) of Punjab Municipal Corporation Act 1976 is required. But for cobblers, Building plan and site inspection is not needed for getting a No Objection Certificate from Municipal town Planning Department.

Before issuing the NO-Objection certificate the following documents must be submitted:

1. Sale deed in support of the ownership
2. Before issuing N.O.C. Rs.1000/-as the prescribed fee is realized

No Objection Certificate from House tax:

Nothing due Certificate to certify that the applicant have no house tax standing unpaid on the property is required. This copy will be sent to the applicant too. After that process, the department will check the records and N.O.C will be given accordingly.

No Objection certificate from Water Supply and Sewage Department:

All the consumers who have the approved connection of water and sewage can get the No Objection Certificate by simply applying on a paper in application and attached copy of water and sewage bill at any time. No charges are taken from the applicant by the department for issuing it. Before issuing the certificate, the account is checked by the assistant engineer/field staff at the zonal office. On the basis of documents, No –Objection Certificate is issued.

Documents Required:

1. Filled form
2. No Objection Certificate from neighbors, Municipal Town Planners, Fire Brigade, House Tax and Water Supply and Sewage Department.

Verification:

The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the

neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbours.

License Fees:

As per the section 338 of the Punjab Municipal Corporation Act 1976, the Commissioner, with the previous approval of the Corporation, may charge such stallages, rents or fees as may from time to time be fixed by him for the occupation or use of any stall, shop, stand, shed or pen in a municipal market and for the right to expose articles for sale in a municipal market.

Act says that a copy of the table of stall ages, rents and fees, if any chargeable in any municipal market and of the bye-laws made under the Act for the purpose of regulating the use of such market or slaughter-house printed in such language or languages as the Commissioner may direct, shall be affixed in some conspicuous place in the market or slaughter-house.

As per section 343, the Corporation shall fix a scale of fees to be paid in respect of premises licensed. Provided that no such fee shall exceed such amount, as may be fixed by the Government from time to time

Fees Remittance:

The fees remittance can be done in the license department itself.

Issue of License:

The License will be issued after the submission of documents and after completing the formalities from the license inspector, reports from Municipal town planners and fire brigade

License Duration:

One year.

License Renewal:

The person has to submit the filled form and has to produce the previous license receipt. The fees are equal to new license. But in the month of March, it will be 10% less, and from April to June, it will be 25% and July to September 50% and from October 100% penalty will be charged. The applicant does not have to submit again the No-Objection Certificate. Persons who get licenses renewed before 30th March shall be allowed rebate of 10% in license fee.

Other Formalities:

1. The license is to be checked by the staff of licensing department.
2. Blank copy of license can not be provided .It will be provided only after adopting the Rules and Regulations of the Municipal Corporation.

3. After the issue of license, there is no need to visit the physical verification or checking the premises after the issue of license.
4. No further checking will be there after the issue of license.

Penalty:

Licenses must be obtained before or on 30th April of every year. In case of failure penalty shall be recovered as under:-

Period	Month	Fine a amount
Up to	30 th June	25%
Up to	30 th September	50%
From	1 st October onwards.	100 %

III.MEAT SHOP:

Meat Shops are regulated by the Municipal Corporation of Chandigarh as per the provisions provided in the section 343 of the Punjab Municipal Corporation law (Extension to Chandigarh) Act, 1994. In addition Prevention of food adulteration act is applicable for food related items. One has to get a license from the Municipal Corporation of Chandigarh as per the U/S 343 of Punjab Municipal Corporation Act 1976. As per the section 343, No person shall use or permit to be used any premises for any of the following purposes without or otherwise than in conformity with the terms of a license granted by the Commissioner. The list of the purposes listed in the Act includes:

1. any of the purposes specified in Part I of the second Schedule;
2. any purpose which is, in the opinion of the Commissioner (dangerous to life, health or property or likely to create a nuisance;
3. keeping horses, cattle or other quadruped animals or birds for transportation, sale or hire or for sale of the produce thereof; or
4. storing any of the articles specified in Part II of the second Schedule except for domestic use of any of those articles :

Provided that the Corporation may declare that premises in which the aggregate quantity of articles stored for sale does not exceed such quantity as may be prescribed by bye-laws in respect of any such articles shall be exempted from the operation of clause (d).

The act also says that the corporation can fix a scale of fees to be paid in respect of premises licensed under sub-section (1) and that fee shall not exceed such amount, as may be fixed by the Government from time to time.

As per section 346, No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner can hawk or expose for sale in any place any article. This can be for human consumption or not.

As per section 347, No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner in this behalf, keep any eating house, lodging house, hotel, boarding house, tea shop, coffee house, cafe, restaurant, refreshment room or any place where the public are admitted for repose or for the consumption of any food

or drink or any place where food is sold or prepared for sale. The Commissioner may at any time cancel or suspend any license granted if he is of opinion that the premises covered thereby are not kept in conformity with the conditions of such license or with the provisions of any bye-law made in this behalf, whether the licensee is prosecuted under this Act or not.

As per section 349, If the Commissioner is of opinion that any eating house, lodging house, hotel, boarding house ,tea shop, coffee house, cafe, restaurant, refreshment room or other place where the public are admitted for repose or for consumption of any food or drink or where food is sold or prepared for sale or any theatre, circus, cinema, house, dancing hall or similar other place of public resort, recreation or amusement is kept open without a license or otherwise, than in conformity with the terms of a license granted in respect thereof, he may stop the use of any such premises for any such purpose for a specified period by such means as he may consider necessary.

As per section 331, the Commissioner, when authorized by the Corporation in this behalf, may provide and maintain municipal markets and slaughter-houses in such number as he thinks fit together with stalls, shops, sheds, pens and other buildings and conveniences for the use of persons carrying on trade or business in, or frequenting such markets or slaughter-houses and may provide and maintain in any such markets, buildings and places machines, weights, scales and measures for the weightment or measurement of goods sold therein. Municipal markets and slaughter-houses shall be under the control of the Commissioner who may at any time, by public notice, close any municipal market or slaughter-house or any part thereof.

Section 332 says that no person shall, without the general or special permission in writing of the Commissioner, sell or expose for sale any animal or article in any municipal market. Any person contravening the provisions of sub-section (1), and any animal or article exposed for sale by such person, may be summarily removed from the market by or under the orders of the Commissioner or any officer or employee of the Corporation authorized by the Commissioner in this behalf.

The Act according to section 333 says that no place other than a municipal market shall be used as a market unless such place has been licensed as a market by the Commissioner. No place other than municipal slaughter-houses shall be used as a slaughter-house.

337 says that no animal or article shall be sold or exposed for sale within a distance of one hundred yards of any municipal market or licensed private market without the permission of the Commissioner. Any person contravening the provision of sub-section (1) and any animal or article exposed for sale by such person may be summarily removed by or under the orders of the Commissioner or any officer or employee of the Corporation appointed by him in this behalf.

The act directs that no person shall without or otherwise than in conformity with a license from the Commissioner carry on the trade of a butcher, fish-monger, poulterer or importer of flesh intended for human food or use any place for the sale of flesh, fish or poultry' intended for human food .Provided that no license shall be required for any place used for the sale or storage for sale of preserved flesh or fish contained in airtight or hermetically sealed receptacles. The Commissioner may, by order and subject to such conditions as to supervision and inspection as he thinks fit to impose, grant a license or may by order, refuse, for reasons to be recorded, to grant the same. Every such license shall expire at the

end of the year for which it is granted or at such earlier date as the Commissioner may, for special reasons, specify in the license. If any place is used for the sale of flesh, fish or poultry in contravention of the provisions of this section, the Commissioner may stop the use thereof by such means as he may consider necessary. So the meat shops need a license.

In addition as per the RTI reply, the meat shop has to follow the Chandigarh Municipal Corporation (Regulation for the sale of Meat, fish and Poultry) Bye laws 2002.

Conditions as per the Bye law:

The meat shops and slaughter houses has to be in accordance with conditions provided in the bye law. Chief among them are;

1. Precautions for flooring, ceiling, light, ventilation, drainage and cleaning facilities.
2. no direct communication must be there between the premises and sleeping room
3. Licensee shall be responsible for any of the breach of regulations as per the provisions of the Capital of Punjab (Development and Regulation Act 1952)
4. fees must be paid for importing and sale
5. The receptacles, implements etc where articles for sale are kept must be in good hygienic conditions.
6. No cooking must be done or washing must be thrown in the premises or in any drains or pavement provided in the premises.
7. No person suffering from infectious or contagious diseases can be employed. Fitness certificate from the principal medical officer of general hospital is required.
8. Notice must be kept in the premises indicating the type of meat for sale.
9. The meat shall be slaughtered at municipal corporation slaughter house.
10. No importing of fresh or unfit for human consumption must be promoted
11. Proper disposal of garbage or waste must be there. It must be in the dumping ground.
12. The birds for slaughter shall not be transported in cruel manner.
13. No sick birds must be there.
14. No cows shall be slaughtered and no beefs can be sold.
15. The dressed meat, fish, birds shall be kept in a deep freezing or in a wire guaze covering. The meat, fish etc are not allowed to be exposed to public view creating nuisance.

Licensing Procedure:

As per the Punjab Municipal corporation Law (Extension to Chandigarh) ordinance, 1911 and the further amendment in 1994, the rules and regulations of Chandigarh are as per the Punjab Municipal Corporation Act 1976. So Chandigarh is following the same procedures for licensing as some where else in Punjab.

The person has to apply in the prescribed form costing around Rs.10.and the person will have to get the NO-Objection certificate from neighbors as well as Municipal Town Planners and other departments in regard to Fire Brigade, House tax and Water Supply and Sewerage.

No Objection certificates:**No Objection Certificate from M.T.P (Municipal Town Planning):**

For a commercial establishment, a building plan is required to be sanctioned from Municipal Corporation and before occupation and to start commercial business, a completion certificate as per u/s 272(2) of Punjab Municipal Corporation Act 1976 is required.

Before issuing the N.O.C (NO-Objection certificate) the site inspection will be conducted by the area building inspector. The status of building, sanction of the building plan, fees paid etc. will be checked by the area building inspector at the time of inspection. The No Objection Certificates pertaining to the electric connections to the commercial establishments is issued by the Assistant Town Planner within one week, though there is no time schedule. There is no fixed validity period for the NOC'S and the state Electric city Board checks the NOC issued by corporation before issuing electric connection. There is no prescribed Performa for N.O.C after issuing the NOC, no physical verification is done.

Before issuing the NO-Objection certificate the following documents must be submitted:

1. Sale deed in support of the ownership
2. Sanctioned building plan/receipt of composition fee paid in respect of the building for which NOC is required, if it newly constructed
3. Before issuing N.O.C. Rs.1000/-as the prescribed fee is realized

No Objection certificate from Fire Brigade:

The No Objection certificate from Fire Brigade is issued as per the provisions of ISI-2190(Indian Standard Industries rules). A Building Plan must be submitted in advance and no need to pay any fees for this NO-Objection Certificate. The Premises will be verified physically as per the Guidelines of ISI and National Building Code. The Requirement of premise is as per the ISI and National Building Code Provisions. 7-10 days are required to issue NO-Objection certificate. The Validity of NO-Objection certificate is one year. After issuing the N.O.C, the premise will be checked by the department once in a year.

No –Objection certificate from Neighbors:

It is collected from the neighbors in the shape of their signatures with complete address in prescribed Performa

No Objection Certificate from House tax:

Nothing due Certificate to certify that the applicant have no house tax standing unpaid on the property is required. This copy will be sent to the applicant too. After that process, the department will check the records and N.O.C will be given accordingly.

No Objection certificate from Water Supply and Sewage Department:

All the consumers who have the approved connection of water and sewage can get the No Objection Certificate by simply applying on a paper in application and attached copy of water and sewage bill at any time. No charges are taken from the applicant by the department for issuing it. Before issuing the certificate, the account is checked by the

assistant engineer/field staff at the zonal office. On the basis of documents, No –Objection Certificate is issued.

Documents Required:

1. Filled form
2. No Objection Certificate from neighbors, Municipal Town Planners, Fire Brigade, House Tax and Water Supply and Sewage Department.

Verification:

The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbors.

Fees:

As per the section 338 of the Punjab Municipal Corporation Act 1976, the Commissioner, with the previous approval of the Corporation, may charge such stallages, rents or fees as may from time to time be fixed by him for the occupation or use of any stall, shop, stand, shed or pen in a municipal market or municipal slaughter-house, for the right to expose articles for sale in a municipal market and for the right to slaughter animals in any municipal slaughter- house; and for the fees of such animals before they are ready for slaughter.

Act says that a copy of the table of stall ages, rents and fees, if any chargeable in any municipal market or municipal slaughterhouse, and of the bye-laws made under the Act for the purpose of regulating the use of such market or slaughter-house printed in such language or languages as the Commissioner may direct, shall be affixed in some conspicuous place in the market or slaughter-house.

As per section 343, the Corporation shall fix a scale of fees to be paid in respect of premises licensed. Provided that no such fee shall exceed such amount, as may be fixed by the Government from time to time

As per the byelaw, the fees payable in respect of license to import to sell meat, fish and poultry shall be Rs.500 per annum payable in the month of April every year. If it is not paid, then the penalty of Rs.10 / per day for the delayed period will be charged.

Regulatory Body:

The commissioner is the authority. The health and sanitation department is the department which primary dealt with license.

Fees Remittance:

The fees remittance can be done in the license department itself.

Issue of License:

The License will be issued after the submission of documents and after completing the formalities from the license inspector, reports from Municipal town planners and fire brigade

License Duration:

One year.

License Renewal:

The person has to submit the filled form and has to produce the previous license receipt. The fees are equal to new license. But in the month of March, it will be 10% less, and from April to June, it will be 25% and July to September 50% and from October 100% penalty will be charged. The applicant does not have to submit again the No-Objection Certificate. Persons who get licenses renewed before 30th March shall be allowed rebate of 10% in license fee.

Revocation of License:

As per the byelaws, the commissioner or any other officer authorized by him may at any time can cancel or revoke any license for any breach of the provisions of bye laws and no compensation shall be payable for the cancellation or revocation .

Inspection:

The licensee has to allow the commissioner, the Municipal Health officer or Supereindent slaughter house –Cum – Meat Inspector and Meat Supervisor to inspect the licensed premises.

Other Formalities:

The license is to be checked by the staff of licensing department. Blank copy of license can not be provided. It will be provided only after adopting the Rules and Regulations of the Municipal Corporation. After the issue of license, there is no need to visit the physical verification or checking the premises after the issue of license. No further checking will be there after the issue of license.

Penalty:

As per the bye law, any person committing a breach of any of the provisions of byelaws shall on conviction by a magistrate, be punishable with fine which may extend to RS.1000 and if the breach is a continuing one, with a further fine which may extend to Rs.100 for every day after the first offence during which the breach continues.

If the fee is not paid for the importing, then the penalty of Rs.10 / per day for the delayed period will be charged.

As per the Punjab Municipal Corporation Act, the penalty for violating the section 343 and carrying any trade without a license is Rs.1000. The daily fine of Rs.100 will be charged for

the continuity of the offence. Carrying on a butcher's trade without a license will charge a fine of Rs.100 and the penalty for the continuity of offence is Rs.10 per day.

IV BARBER SHOP:

Barber Shops are regulated by the Municipal Corporation of Chandigarh as per the provisions provided in the section 343 of the Punjab Municipal Corporation law (Extension to Chandigarh) Act, 1994.

As per the Punjab Municipal corporation Law (Extension to Chandigarh) ordinance, 1911 and the further amendment in 1994, the rules and regulations of Chandigarh are as per the Punjab Municipal Corporation Act 1976. So Chandigarh is following the same procedures for licensing as some where else in Punjab.

The person has to apply in the prescribed form costing around Rs.10 and the person will have to get the NO-Objection certificate from neighbors as well as Municipal Town Planners and other departments in regard to Fire Brigade, House tax and Water Supply and Sewerage.

The procedures are same as of dhaba's. Part I of the schedule annexed to the act which was framed under the Section 343 (1)" of Punjab Municipal Corporation Act proves that the barber shops needs a license.

One has to get a license from the Municipal Corporation of Chandigarh as per the section 343 of Punjab Municipal Corporation Act 1976. As per the section 343, No person shall use or permit to be used any premises for any of the following purposes without or otherwise than in conformity with the terms of a license granted by the Commissioner. The list of the purposes listed in the Act includes:

1. any of the purposes specified in Part I of the second Schedule;
2. any purpose which is, in the opinion of the Commissioner (dangerous to life, health or property or likely to create a nuisance;
3. keeping horses, cattle or other quadruped animals or birds for transportation, sale or hire or for sale of the produce thereof; or
4. storing any of the articles specified in Part II of the second Schedule except for domestic use of any of those articles .

Provided that the Corporation may declare that premises in which the aggregate quantity of articles stored for sale does not exceed such quantity as may be prescribed by bye-laws in respect of any such articles shall be exempted from the operation of clause (d).

The act also says that the corporation can fix a scale of fees to be paid in respect of premises licensed under sub-section (1) and that fee shall not exceed such amount, as may be fixed by the Government from time to time.

As per section 346, No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner can hawk or expose for sale in any place any article. This can be for human consumption or not.

Section 332 says that no person shall, without the general or special permission in writing of the Commissioner, sell or expose for sale any animal or article in any municipal market.

Any person contravening the provisions of sub-section (1), and any animal or article exposed for sale by such person, may be summarily removed from the market by or under the orders of the Commissioner or any officer or employee of the Corporation authorised by the Commissioner in this behalf.

The Act according to section 333 says that no place other than a municipal market shall be used as a market unless such place has been licensed as a market by the Commissioner. 337 says that no animal or article shall be sold or exposed for sale within a distance of one hundred yards of any municipal market or licensed private market without the permission of the Commissioner. Any person contravening the provision of sub-section (1) and any animal or article exposed for sale by such person may be summarily removed by or under the orders of the Commissioner or any officer or employee of the Corporation appointed by him in this behalf.

Licensing Procedure:

Under Section 343 of Punjab Municipal Corporation Act 1976, Municipal Corporation is issuing licenses. For barber Shop, the procedures are same of dhaba's.

The person has to apply in the prescribed form costing around Rs.10/- and the person will have to get the NO-Objection certificate from neighbors as well as Municipal Town Planning, Fire Brigade, House tax and WSS departments.

No Objection certificates:

No Objection Certificate from M.T.P (Municipal Town Planning):

For a commercial establishment, a building plan is required to be sanctioned from Municipal Corporation and before occupation and to start commercial business, a completion certificate as per u/s 272(2) of Punjab Municipal Corporation Act 1976 is required.

Before issuing the N.O.C (NO-Objection certificate) the site inspection will be conducted by the area building inspector. The status of building, sanction of the building plan, fees paid etc. will be checked by the area building inspector at the time of inspection. The No Objection Certificates pertaining to the electric connections to the commercial establishments is issued by the Assistant Town Planner within one week, though there is no time schedule. There is no fixed validity period for the NOC'S and the state Electric city Board checks the NOC issued by corporation before issuing electric connection. There is no prescribed Performa for N.O.C after issuing the NOC, no physical verification is done.

Before issuing the NO-Objection certificate the following documents must be submitted:

1. Sale deed in support of the ownership
2. Sanctioned building plan/receipt of composition fee paid in respect of the building for which NOC is required, if it newly constructed
3. Before issuing N.O.C. Rs.1000/-as the prescribed fee is realized

No Objection certificate from Fire Brigade:

The No Objection certificate from Fire Brigade is issued as per the provisions of ISI-2190(Indian Standard Industries rules). A Building Plan must be submitted in advance and no need to pay any fees for this NO-Objection Certificate. The Premises will be verified physically as per the Guidelines of ISI and National Building Code. The Requirement of premise is as per the ISI and National Building Code Provisions. 7-10 days are required to issue NO-Objection certificate. The Validity of NO-Objection certificate is one year. After issuing the N.O.C, the premise will be checked by the department once in a year.

No –Objection certificate from Neighbours:

It is collected from the neighbours in the shape of their signatures with complete address in prescribed Performa

No Objection Certificate from House tax:

Nothing due Certificate to certify that the applicant have no house tax standing unpaid on the property is required. This copy will be sent to the applicant too. After that process, the department will check the records and N.O.C will be given accordingly.

No Objection certificate from Water Supply and Sewage Department:

All the consumers who have the approved connection of water and sewage can get the No Objection Certificate by simply applying on a paper in application and attached copy of water and sewage bill at any time. No charges are taken from the applicant by the department for issuing it. Before issuing the certificate, the account is checked by the assistant engineer/field staff at the zonal office. On the basis of documents, No –Objection Certificate is issued.

Documents Required:

1. Filled form
2. No Objection Certificate from neighbors, Municipal Town Planners, Fire Brigade, House Tax and Water Supply and Sewage Department.

Verification:

The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbours.

License Fees:

As per the section 338 of the Punjab Municipal Corporation Act 1976, the Commissioner, with the previous approval of the Corporation, may charge such stallages, rents or fees as may from time to time be fixed by him for the occupation or use of any stall, shop, stand, shed or pen in a municipal market or municipal slaughter-house, for the right to expose articles for sale in a municipal market and for the right to slaughter animals in any

municipal slaughter- house; and for the fees of such animals before they are ready for slaughter.

Act says that a copy of the table of stall ages, rents and fees, if any chargeable in any municipal market or municipal slaughterhouse, and of the bye-laws made under the Act for the purpose of regulating the use of such market or slaughter-house printed in such language or languages as the Commissioner may direct, shall be affixed in some conspicuous place in the market or slaughter-house.

As per section 343, the Corporation shall fix a scale of fees to be paid in respect of premises licensed. Provided that no such fee shall exceed such amount, as may be fixed by the Government from time to time

Fees Remittance:

The fees remittance can be done in the license department itself.

Issue of License:

The License will be issued after the submission of documents and after completing the formalities from the license inspector, reports from Municipal town planners and fire brigade

License Duration:

One year.

License Renewal:

The person has to submit the filled form and has to produce the previous license receipt. The fees are equal to new license. But in the month of March, it will be 10% less, and from April to June, it will be 25% and July to September 50% and from October 100% penalty will be charged. The applicant does not have to submit again the No-Objection Certificate. Persons who get licenses renewed before 30th March shall be allowed rebate of 10% in license fee.

Other Formalities:

1. The license is to be checked by the staff of licensing department.
2. Blank copy of license can not be provided .It will be provided only after adopting the Rules and Regulations of the Municipal Corporation.
3. After the issue of license, there is no need to visit the physical verification or checking the premises after the issue of license.
4. No further checking will be there after the issue of license.

Penalty:

Licenses must be obtained before or on 30th April of every year. In case of failure penalty shall be recovered as under:-

Period	Month	Fine a amount
Up to	30 th June	25%
Up to	30 th September	50%
From	1 st October onwards.	100 %

V CYCLE RICKSHAW:

Cycle rickshaws are regulated by the Municipal Corporation of Chandigarh as per the provisions provided in the section 343 of the Punjab Municipal Corporation law (Extension to Chandigarh) Act, 1994. In addition Cycle rickshaws has to follow the Punjab Cycle Rickshaws regulation of License (1976)

As per the Punjab Municipal corporation Law (Extension to Chandigarh) ordinance, 1911 and the further amendment in 1994, the rules and regulations of Chandigarh are as per the Punjab Municipal Corporation Act 1976. So Chandigarh is following the same procedures for licensing as some where else in Punjab.

Cycle Rickshaw is governed as per the directions provided in "The Punjab Rickshaws (Regulation of license) Act, 1976. As per the Act "cycle- rickshaw" means a three- wheeled cycle-rickshaw driven by a manual labour and includes all its components and accessories. There are no city permits issued and there is no restriction on the number of cycle rickshaw at a particular time and no city permit is required. Only License is required.

Municipal Corporation defines Permits as the license on which the photograph of the Cycle rickshaw Puller is pasted. In Chandigarh like anywhere else in Punjab every year, a token number and a license /permit on which the photograph of the cycle rickshaw puller is pasted is issued to the Cycle rickshaw puller and no other city permit is needed in Punjab and there is no restriction on the number of cycle rickshaw at a particular time and no city permit is required.

Procedure for Cycle Rickshaw License:

The Application form will be given to the Rickshaw puller owner, by the Municipal Corporation on which Performa is printed. The rickshaw puller is required to submit the application form with two photographs attested by the Councilor/M.L.A/gazetted officer and the medical fitness certificate must be collected from an M.B.B.S. doctor. If there are numbers of applications, then it could take two-three days to issue the license.

Documents Required:

Application form with two photographs attested by the Councilor /M.L.A/gazetted officer and a Medical fitness certificate from the M.B.B.S. doctor.

License Fees:

As per the Cycle Rickshaw Bye- law, the annual fee for the cycle rickshaw license is Rs.50.

As per the section 338 of the Punjab Municipal Corporation Act 1976, the Commissioner, with the previous approval of the Corporation, may charge such stallages, rents or fees as may from time to time be fixed by him for the occupation or use of any stall, shop, stand, shed or pen in a municipal market or municipal slaughter-house, for the right to expose articles for sale in a municipal market and for the right to slaughter animals in any municipal slaughter- house; and for the fees of such animals before they are ready for slaughter.

Act says that a copy of the table of stall ages, rents and fees, if any chargeable in any municipal market or municipal slaughterhouse, and of the bye-laws made under the Act for the purpose of regulating the use of such market or slaughter-house printed in such language or languages as the Commissioner may direct, shall be affixed in some conspicuous place in the market or slaughter-house.

As per section 343, the Corporation shall fix a scale of fees to be paid in respect of premises licensed. Provided that no such fee shall exceed such amount, as may be fixed by the Government from time to time.

Regulatory Body:

The commissioner is the authority. The health and sanitation department is the department which primary dealt with license.

License Duration:

The validity of license is one year from 1st April to 31st march.

Issue of License:

If there are numbers of applications, then it could take two-three days to issue the license.

License Renewal:

The validity of license is one year from 1st April to 31st march. The documents required for the renewal of the license are same as that of new one. The procedure for the renewal of license is also the same as that of the new one. The period required for the renewal of license is same as that of the new one.

Conditions:

There is no such restriction regarding the number of license to be issued in a fiscal year. As per the Act, cycle rickshaw has to be plied by the owner himself. No licenses can be granted or renewed in contradictory to this. But it can be granted to a widow or disabled person if this is the only sources of his/her livelihood.

Municipal Corporation can grant or renew license to an institution to be plied through any person. But the rickshaw can not be used for hire. Rather it should be used only for its own conveyance and transportation requirements. In that case the body of the cycle-rickshaw must be painted yellow. As per the amendment of the cycle rickshaws act in 191978, the licenses to widows, disabled and institution can be based on their needs. But the number of such licenses in one case shall not exceed five.

The conditions for this license for a rickshaw puller are:

1. Must be a healthy person
2. Must be a bell on the rickshaw
3. Must be a roof for the rickshaw
4. Must be a mudguard on the rare type of the cycle rickshaw and there must be a reflector at the back of the cycle rickshaw which should shine at the night.

Penalty:

There is no such restriction regarding the number of license to be issued in a fiscal year. Regarding the penalty for the cycle rickshaw pullers, if a cycle rickshaw is caught without a valid license then the rickshaw will be put in the store room and released only after getting the clearance from the department and depositing the settled fee. As per the Act, the person can be punishable with imprisonment which can extend to three months. The same is the case of the rickshaw of institution which is not painted in yellow. As per the Punjab Municipal Corporation Act, the penalty for violating the section 343 and carrying any trade without a license is Rs.1000. The daily fine of Rs.100 will be charged for the continuity of the offence.

FINDINGS FROM THE STUDY

General Findings:

1. The trades in Chandigrah are regulated by the Municipal Corporation of Chandigrah as per the provisions provided in the section 343 of the Punjab Municipal Corporation law (Extension to Chandigrah) Act, 1994
2. As per the Section 3 of the Punjab Municipal Corporation Act, The Punjab Municipal Act, 1911 in so far as it applies to the union territory of Chandigrah or any part thereof shall stand repealed on the coming into force of this Act
3. As per section 4, the central government can appoint a special officer to the Municipal Corporation of Chandigrah until the day on which the first meeting of the corporation is held after the commencement of the act without withstanding any provisions of the Act
4. As per section 5 The Punjab Municipal corporation Law (Extension to Chandigrah) ordinance, 1994 is repealed. Not withstanding such repeal, anything done or any action taken under the ordinance so repealed shall be deemed to have been done under the corresponding provisions of the Act
5. Punjab Municipal Corporation Act, 1976 is applicable to the union Territory of Chandigrah as per the provisions of the Punjab Municipal corporation Law (Extension to Chandigrah) ordinance, 1994. So the Trade licensing will be as per the regulations of Punjab Municipal Corporation Act, 1976

6. The trades are regulated as per the provisions provided in the section 343 of the Punjab Municipal Corporation Act, 1976. The Whole Punjab is following the same procedure.
7. NOC which is required to be taken from municipal town planner (MTP) office is Rs.1000/- one time, but the license which is issued by the corporation after the submission of NOC, is worth Rs.50-200 for different categories. This is surprising.
8. The procedure for cobblers, dhabas and meat shops and barber shops are same

I.DHABAS:

1. One has to get a license from the Chandigarh Corporation for running a dhabha as per the U/S 343 of Punjab Municipal Corporation Act 1976
2. The person must have to get the NO-Objection Certificate from neighbors as well as from the departments of Municipal Town Planner, Fire Brigade, House tax and Water Supply and Sewerage Department. The procedure for this N.O.C is more complicating than the license itself
3. No –Objection certificate from Fire Brigade is obtained as per the provisions of ISI-2190. Building Plan must be submitted and the Premises will be verified physically as per the Guidelines of ISI and National Building Code. 15 officers are employed for this physical verification and after issuing the N.O.C, the premise will be checked by the department, once in a year. But from the field study, it is found from the verbal interaction of the interns that that neither of the officers have the copy of this guidelines an in hand and it seems that they had obtained the copy of the guidelines from the fire department of some other city . So the authenticity of the knowledge base of the verification is being forced to be questioned
4. Rs.1000/- is charged for issuing the No Objection Certificate from the M.T.P. department .This is in addition to the fees for license for the trade, whereas the license fee is only Rupees Hundred and sixty two rupees, which consists of the fee of Rs.50 , Prevention of Food Adulteration Act fee Rs.12/- and Conservancy fee Rs.100
5. The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbors for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbors
6. As per section 309, When the city or any part thereof is visited or threatened by an outbreak of any dangerous disease the commissioner may, by public notice, restrict the sale or preparation of any article of food or drink for human consumption specified in the notice or the sale of flesh of any description of animal so specified
7. Regarding the renewal, every year before the 30th of April, licenses have to be renewed with the submission of the filled form and previous license receipt. The fees are equal to new license. The person who gets the license renewed before 30th march shall be allowed a rebate of 10 % in the license fee (subject to the increase in the fee). If the applicant get his license renewed before or on 30th April of every year. In case of failure penalty (in excess of the license fee) shall be recovered as under:-
 1. Up to 30th June 25%
 2. Up to 30th September 50%
 3. From 1st October onwards. 100%

II.COBLERS:

1. The procedures are same of dhaba's

III BARBER SHOP:

1. The procedures are same of dhaba's

IV MEAT SHOP:

1. The procedures are same. In addition they have to follow the byelaws
2. Following are the Conditions for the regulation of meat shops as per the bye –law. The met shops and slaughter houses has to be in accordance with conditions provided in the bye law. Chief among them are;
 - a. no direct communication must be there between the premises and sleeping room
 - b. Licensee shall be responsible for any of the breach of regulations as per the provisions of the Capital of Punjab (Development and Regulation Act 1952)
 - c. fees must be paid for importing and sale
 - d. The receptacles, implements etc where articles for sale are kept must be in good hygienic conditions
 - e. No cooking must be done or washing must be thrown in the premises or in any drains or pavement provided in the premises
 - f. No person suffering from infectious or contagious diseases can be employed. Fitness certificate from the principal medical officer of general hospital is required
 - g. Notice must be kept in the premises indicating the type of meat for sale
 - h. The meat shall be slaughtered at municipal corporation slaughter house. No importing of fresh or unfit for human consumption must be promoted
 - i. Proper disposal of garbage or waste must be there. It must be in the dumping ground
 - j. The birds for slaughter shall not be transported in cruel manner
 - k. No sick birds must be there. No cows shall be slaughtered and no beefs can be sold
 - l. The dressed meat, fish, birds shall be kept in a deep freezing or in a wire guaze covering. The meat, fish etc are not allowed to be exposed to public view creating nuisance

V CYCLE RICKSHAW:

1. Cycle Rickshaw is governed as per the directions provided in "The Punjab Rickshawas (Regulation of license) Act, 1976
2. As per the Act "cycle- rickshaw" means a three- wheeled cycle-rickshaw driven by a manual labour and includes all its components and accessories
3. Municipal Corporation defines Permits as the license on which the photograph of the Cycle rickshaw Puller is pasted. In Chandigrah as anywhere in Punjab every year, a

token number and a license /permit on which the photograph of the cycle rickshaw puller is pasted is issued to the Cycle rickshaw puller and no other city permit is needed in Punjab and there is no restriction on the number of cycle rickshaw at a particular time and no city permit is required

4. As per the Act, cycle rickshaw has to be plied by the owner himself. No licenses can be granted or renewed in contradictory to this. But it can be granted to a widow or disabled person if this is the only sources of his/her livelihood
5. Municipal Corporation can be grant or renew license to an institution to be plied through any person. But the rickshaw can not be used for hire. Rather it should be used only for its own conveyance and transportation requirements. In that case the body of the cycle- rickshaw must be painted yellow
6. As per the amendment of the cycle rickshaws act in 191978, the licenses to widows, disabled and institution can be based on their needs. But the number of such licenses in one case shall not exceed five
7. Regarding the penalty for the cycle rickshaw pullers, if a cycle rickshaw is caught without a valid license then the rickshaw will be put in the store room and released only after getting the clearance from the department and depositing the settled fee. As per the Act, the person can be punishable with imprisonment which can extend to three months. The same is the case of the rickshaw of institution which is not painted in yellow
8. The conditions for this license for a rickshaw puller are (a) must be a healthy person (b) Must be a bell on the rickshaw (c) Must be a roof for the rickshaw (d) must be a mudguard on the rare tyre of the cycle rickshaw and there must be a reflector at the back of the cycle rickshaw which should shine at the night