

RULES AND REGULATIONS GOVERNING THE LICENSING OF MEAT SHOPS IN CHANDIGRAH

State / union territory: Chandigrah

Details of licensing are as follows:

Meat Shops 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. In addition Prevention of food adulteration act is applicable for food related items. 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 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 weighing 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 Chandigrah) ordinance, 1911 and the further amendment in 1994, the rules and regulations of Chandigrah are 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.

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:

www.cpnr.in

www.ccs.in

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.