

# THE LIVELIHOOD REGULATIONS REPORT

## DELHI



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

Delhi sometimes referred to as *Dilli* is the second largest metropolis of India, with a population of 17 million, and a federally-administered union territory officially known as the National Capital Territory of Delhi (NCT). Located on the banks of the Yamuna River in northern India, it is one of the oldest continually inhabited cities in the world.

Delhi has been the capital of several Indian empires in medieval period and a major city along the old trade routes between northwest India and the Indo-Gangetic Plains. It is the site of many ancient and medieval monuments, archaeological sites and remains. The Mughal emperor Shahjahan built the city, now known as "Old Delhi", to serve as the capital of the Mughal Empire from 1649 to 1857.

After the British East India Company gained control of much of India during the 18th and 19th centuries, Calcutta became the capital both under Company rule and under the British Raj, until George V announced in 1911 that the capital was to move back to Delhi, and a new city, New Delhi, was to be built. When India gained independence from British rule in 1947, New Delhi was declared its capital and seat of government. As such, New Delhi houses important offices of the federal government, including the Parliament of India.

Owing to the immigration of people from across the country, Delhi has grown to be a cosmopolitan city. Its rapid development and urbanisation, coupled with the relatively high average income of its population, has transformed the city. Today, Delhi is a major cultural, political, and commercial center of India.

Many ethnic groups and cultures are represented in Delhi, making it a cosmopolitan city. A seat of political power and a centre of commerce, the city attracts workers—both blue collar and white collar—from all parts of India, further enhancing its diverse character. A diplomatic hub, represented by embassies of 160 countries, Delhi has a large expatriate population as well.

According to the 2001 Census of India, the population of Delhi that year was 13,782,976. The corresponding population density was 9,294 persons per km<sup>2</sup>, with a sex ratio of 821 women per 1000 men, and a literacy rate of 81.82%. By 2004, the estimated population had increased to 15,279,000. Delhi is one of the fastest growing cities in the world. By 2015, Delhi is expected to be the second largest agglomeration in the world after Tokyo.

Hinduism is the religion of 82% of Delhi's population. There are also large communities of Muslims (11.7%), Sikhs (4.0%), Jains (1.1%) and Christians (0.9%) in the city. Other minorities include Parsis, Anglo-Indians, Buddhists and Jews.

Hindi is the principal spoken and written language of the city. Other languages commonly spoken in the city are English, Punjabi and Urdu. Of these, English is an associate official language, and Punjabi and Urdu second official languages. Linguistic groups from all over India are well represented in the city; among them are Maithili, Bhojpuri, Tamil, Kannada, Telugu, Bengali, Assamese and Marathi. Punjabis, Jats and Gujjars are examples of the various ethnic communities in the city. The oldest community in Delhi which is a unique community in itself is that of the Dilliwalas, which traces its history in Delhi back a few centuries.

The present report of the livelihood regulations in the limits of Delhi Municipal Corporation covers dhaba, vegetable sellers, cycle rickshaw, barber shop and meat Shop.

## DELHI

The sectors chosen for the study are:

1. **Dhabha**
2. **Vegetable Sellers**
3. **Cycle Rickshaw**
4. **Meat Shops**
5. **Barber Shops**

The trades in Delhi are controlled by Municipal Corporation of Delhi and is handled by the licensing department through sections 416 & 417 of the DMC Act, 1957. A person who intends to set up a trade can apply for a trade license. An application for a trade license can be made either at a CSB or through the internet.

The licensing and Enforcement Department of MCD issues a general Trade license under the section 4517 of the DMC Act. Apart from the General Trade license, MCD'S health department also issues license for the shops dealing in eatables or other commodities. The MCD issues license after the trade has started.

Factory Licensing Department deals with the issue of licenses under Sections 416/417 of the DMC Act, 1957 for the units run by power, mechanical energy or by steam, within the Municipal jurisdiction of the MCD. The applications which are received for the grant of new licenses and renewal thereof are dealt with by the Department in accordance with the policy laid down by the Corporation/Delhi Government/Government of India from time to time. The following types of licenses are issued by the Department:

1. Licenses in industrial/conforming areas.
2. Licenses in Local Commercial Areas.
3. Licenses for Household Categories.

Licenses falling under the above listed categories are as per the provisions of Master Plan of Delhi and other terms and conditions of Delhi Municipal Corporation.

### **Eligibility and the Application for a trade license :**

A person who intends to set up a trade can apply for a trade license. An application for a trade license can be made either at a Citizen's service Bureaus (CSB) or through the internet. In the case of the submission through internet, the applicant can submit the necessary documents at any of the Citizen's Service Beareu after marking the document with the unique acknowledgement number allotted to his application on the internet.

### **"Category A " and "Category B" of trade license:**

If a trade is to be conducted in the Conforming Area / Local Commercial Area, then the trades falls in the category A and If a trade is to be conducted in the Non-Conforming Area / Household then the trades falls in the category B.

**Documents Required For A New License:**

1. Documentary proof of legal occupancy of the unit
2. Documentary proof of establishment of trade with effect from the date
3. Site plan
4. Key Plan
5. Power load sanction in case of water cooling plant/ ice cream plants/ ice factory from factory department
6. Indemnity Bond for Rs.100/-
7. Affidavit for Rs.10/-
8. NOC from land-owning agency
9. Deed of constitution, if any

**Documents Required For A Renewed License:**

1. Original License copy
2. Any other documents, if asked for

**Documents Required for a duplicate license :**

1. First Information Report (FIR)
2. Identity Bond in prescribed format.

**License Fees:**

An amount of Rs.500/- per application will be collected as processing charges, which includes handling charges of Rs.50/- plus service charges have to be paid for application submission and for getting a license the fees has to be paid as applicable for trade.

**Processing of License:**

As per the RTI reply, it is stated that the time prescribed in law for procuring each license is 30 days at the Zonal level and at head quarters level, the stipulated time is for the grant of license is 45 days.

**License Renewal fees:**

The fees are same as for a new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid.

**Amendment and issue of Duplicate License:**

All type of amendment applications are processed similar to the issue of new licenses except the issue of duplicate license. This will be processed from any of the Citizens Service Bureau For a change in the constitution , full fees which is similar to the new license except the processing charge will be collected.

A duplicate license will be issued on payment of Rs.100/- towards processing charges and on submission of the required documents when the original was lost, mutilated, destroyed

etc. A fresh license with a new license number will be issued and the all license will be cancelled. For the duplicate license 'DUPLICATE' will be written on the top of the license.

### **Collection of Trade License:**

The trade license will be issued by hand to the citizen at the CSB or couriered to the address requested by the citizen

### **II. Health trade License:**

You can get a new Health Trade License issued, old one renewed or an existing one amended. This can be done from the nearest CSB. Please get yourself acquainted with the following rules for license processing.

#### **License Procedure:**

For getting a new Health Trade License from the nearest CSB. You need to Submit an application form at the CSB which is available at the at the CSB for Rs.25/- You can also download a form available on our web site and use it for this purpose.

After submitting the application with the necessary documents, the operator will feed in your details to the computer. You will have to pay processing fees, subsequently a G8 receipt shall be given to you. This G8 receipt will contain the unique "Registration number" which you must remember and quote for further processing. Subsequent to this a License Inspector will visit your site for inspection. Once the inspection and approval is complete you will receive an E-mail or letter notifying you about the same.

You should now approach the CSB again and quote the "Registration number " given to you in step 3. The operator will search for your details in the database using this number. If your details are present, the operator will print the Health Trade License for you and cut a G8 receipt. Pay the license fees and processing charges to the operator. Then the Health Trade license will be signed by the MCD officials.

#### **Documents Required:**

Following documents are to be attached with application form and submit at the CSB.

1. Copy of sanction plan/ completion certificate / structure safety certificate from registered architect.
2. Site Plan
3. Key Plan
4. Water connection and sewer connection
5. Power load sanction in case of water cooling plant/ ice cream plants/ ice factory from factory department.
6. Indemnity Bond for Rs. 100/-
7. Affidavit for Rs .10/-
8. NOC from fire services in 50 seats restaurants rent receipt / rent agreement
9. Copy of partnership deed if any
10. Medical Fitness and Vaccination Certificate against Typhoid of food handlers in eating establishments



**License Fees:**

An amount of Rs.500/- per application will be collected as processing charges, which includes handling charges of Rs.50/- plus service charges have to be paid for application submission and for getting a license the fees has to be paid as applicable for trade.

**License Renewal:**

Licenses renewed are valid up to 31st march. The fees are same as that of new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid

**License Renewal Fees:**

The fees are same as for a new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid.

**Documents Required For The Renewal Of License:**

1. Original License copy
2. Any other documents, if asked for

**Amendment and issue of Duplicate License:**

All type of amendment applications are processed similar to the issue of new licenses except the issue of duplicate license. This will be processed from any of the Citizens Service Bureau. For a change in the constitution, a full fee which is the similar to the new license except the processing charge will be collected.

A duplicate license will be issued on payment of Rs.100/- towards processing charges and on submission of the required documents when the original was lost, mutilated, destroyed etc. A fresh license with a new license number will be issued and the all license will be cancelled. For the duplicate license 'DUPLICATE' will be written on the top of the license.

**Time Needed for Issue of License:**

Expected time frame for issuance of a new trade license:

It will take 30 days at the Zonal level. Whereas it will take 45 days for cases pertaining to Headquarter level

**Documents Required for a duplicate license:**

1. First Information Report (FIR)
2. Indemnity Bond in prescribed format.

### **Collection of trade license:**

The trade license will be issued by hand to the citizen at the CSB or couriered to the address requested by the citizen.

Trade wise details are as follows:

#### **I.DHABA:**

Dhaba's are regulated by the Delhi Municipal Corporation Act 1957 and Prevention of Food Adulteration Act 1954 whereas the timings are fixed by Delhi shops and Establishments Act. Trade license is required to run dhaba and is governed by the Municipal Corporation of Delhi.

As per section 417, No person shall use or permit to be used any premises for any of the purposes listed in schedule without a license or otherwise than in conformity with the terms of a license granted by the Commissioner .

Section 420 says that 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 whatsoever whether it be for human consumption or not.

As per section 421, No person shall, without or otherwise than in conformity with the terms of a license granted by the commissioner can 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.

Delhi Municipal Corporation Act 1957 also envisages that all the articles of food carried by the vendor shall be kept in a glass cases and must be protected from the dust and flies. Only edible food articles shall be carried for sale, which are manufactured in licensed premises. The vendor shall have to disclose the name of the place where food is prepared. He must be free from diseases and must obtain a fatness certificate. The licensee must carry the license at all the times and supposed to produce, if it is asked for inspection. The vendor shall be immunized against cholera or other enteric group fever at the time of issue / renewal of license. No articles unfit for human consumption can be sold. The failure in the provisions may result in legal which can even a revocation of license.

The eleventh schedule of the Delhi Municipal Corporation act 1957 specifies a list of items for which the premises may not be used without a license. As per the schedule, an eating house needs a license.

The licensing and Enforcement Department of MCD issues a general Trade license under the section 417 of the DMC Act. Apart from the General Trade license, MCD'S health department also issues license for the shops dealing in eatables or other commodities. The MCD issues license after the trade has started.

As per the information provided by the Municipal Corporation of Delhi, the license needed for eating house is the health trade license. The procedure is as follows:



### **Licensing Procedure:**

An application for a trade license can be made either at a Citizen's service Bureaus (CSB) or through the internet. The application can be submitted in any of the 12 MCD zonal offices also. In the case of the submission through internet, the applicant can submit the necessary documents at any of the CSB's after marking the document with the unique acknowledgement number allotted to his application on the internet.

For getting a new Health Trade License from the nearest CSB. You need to Submit an application form at the CSB which is available at the at the CSB for Rs.25/-. You can also download a form available on our web site and use it for this purpose.

After submitting the application with the necessary documents, the operator will feed in your details to the computer. You will have to pay processing fees, subsequently a G8 receipt shall be given to you. This G8 receipt will contain the unique "Registration number" which you must remember and quote for further processing. Subsequent to this a License Inspector will visit your site for inspection. Once the inspection and approval is complete you will receive an E-mail or letter notifying you about the same.

You should now approach the CSB again and quote the "Registration number "given to you in step 3. The operator will search for your details in the database using this number. If your details are present, the operator will print the Health Trade License for you and cut a G8 receipt. Pay the license fees and processing charges to the operator. Then the Health Trade license will be signed by the MCD officials.

### **Documents required:**

1. Copy of sanction plan/ completion certificate / structure safety certificate from registered architect.
2. Site Plan
3. Key Plan
4. Water connection and sewer connection
5. Indemnity Bond for Rs.100/-
6. Affidavit for Rs.10/-
7. NOC from fire services in 50 seats restaurants rent receipt / rent agreement
8. Copy of partnership deed if any
9. Medical Fitness and Vaccination Certificate against Typhoid of food handlers in eating establishments ( health trade FAQ- <http://www.mcdonline.gov.in/> )

### **Departments Involved:**

As per the RTI reply, The departments involved are public heath, Veterinary services and ADC(HQ)

### **License Fees:**

For eating houses with or without seats up to 20 seats, Rs.500/- per application will be collected as the registration charge and Rs.240 will be charged as the license fees. For eating houses up to 50 seats, registration fees is Rs.2500 and license fees is Rs.500 and for those above 50 seats, the registration fee is Rs.5000/- and the license fees is Rs.500/- In regard to the fees for license processing, Rs.250 will be collected as the Processing at the time of acceptance of application form for issue of New License.

**License Processing:**

As per the RTI reply, it is stated that the time prescribed in law for procuring each license is 30 days at the Zonal level and at head quarters level, the stipulated time is for the grant of license is 45 days.

**Cancellation:**

The commissioner may at any time cancel or suspend any license granted if he is of the 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 license is prosecuted under this Act or not.

**Timings:**

As per the Delhi Shops and establishments Act 1954, no shops or commercial establishments on any day be opened earlier than such hour or closed later than such hour as fixed by the Government by general or special order Provided that any customer waiting to be at the closing hour fixed may be served during the period of fifteen minutes immediately following such hour must be served during the quarter of an hour immediately following such hour. The government shall hold an enquiry in the prescribed manner and can fix different timings for different classes and different areas.

**License Renewal:**

As per the act, 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. Usually the licenses must be renewed in every year. Licenses renewed are valid up to 31st march. The renewals are happening in the month of April. The fees are same as that of new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid

**License Renewal fees:**

The fees are same as for a new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid.

**Documents Required For The Renewal Of License:**

1. Original License copy
2. Any other documents, if asked for

**Amendment and issue of Duplicate License:**

All type of amendment applications are processed similar to the issue of new licenses except the issue of duplicate license. This will be processed from any of the Citizens

Service Bureau. For a change in the constitution, a full fee which is similar to the new license except the processing charge will be collected.

A duplicate license will be issued on payment of Rs.100/- towards processing charges and on submission of the required documents when the original was lost, mutilated, destroyed etc. A fresh license with a new license number will be issued and the all license will be cancelled. For the duplicate license 'DUPLICATE' will be written on the top of the license.

Rs.250/- will be charged as the fees for the Amendment and Renewal of license. In addition there will be a service charge of Rs.5/-

Rs.100 will be charged as the fees for the issue of duplicate license. In addition there will be a service charge of Rs.5/-

#### **Documents Required for a duplicate license:**

1. First Information Report (FIR)
2. Indemnity Bond in prescribed format.

#### **Collection of Trade License:**

The trade license will be issued by hand to the citizen at the CSB or couriered to the address requested by the citizen.

#### **Penalty:**

As per the RTI reply, prosecution action will be taken against the defaulters as per the Delhi Municipal Corporation Act under section 421, 422 and 423 which even includes the sealing of the premises

#### **II Vegetable Vendors:**

Vegetable Vendors are regulated by the Delhi Municipal Corporation Act 1957 and Prevention of Food Adulteration Act 1954 whereas the timings are fixed by Delhi shops and Establishments Act. Trade license is required and is governed by the Municipal Corporation of Delhi.

As per section 417, No person shall use or permit to be used any premises for any of the purposes listed in schedule without a license or otherwise than in conformity with the terms of a license granted by the Commissioner .

Section 420 says that 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 whatsoever whether it be for human consumption or not.

The eleventh schedule of the Delhi Municipal Corporation a ct 1957 specifies a list of items for which the premises may not be used without a license. The licensing and Enforcement Department of MCD issues a general Trade license under the section 417 of the DMC Act. Apart from the General Trade license, MCD'S health department also issues license for the

shops dealing in eatables or other commodities. The MCD issues license after the trade has started.

As per the information provided by the Municipal Corporation of Delhi, the license needed for Vegetable vendor is the health trade license.

Municipal Corporation of Delhi has included any vehicle selling eatables in the hawkers list. So vegetables are also in the hawker's list. All the hawking articles meant for eatables are also classified as one of the trade under the health trade license. So vegetable sellers do have the same procedures like dhaba except the license fees.

The procedure is as follows

### **Licensing Procedure:**

An application for a trade license can be made either at a Citizen's service Bureaus (CSB) or through the internet. In the case of the submission through internet, the applicant can submit the necessary documents at any of the CSB's after marking the document with the unique acknowledgement number allotted to his application on the internet. The application can be submitted in any of the 12 MCD zonal offices also.

For getting a new Health Trade License from the nearest CSB, you need to Submit an application form at the CSB which is available at the at the CSB for Rs.25/-. You can also download a form available on our web site and use it for this purpose.

After submitting the application with the necessary documents, the operator will feed in your details to the computer. You will have to pay processing fees, subsequently a G8 receipt shall be given to you. This G8 receipt will contain the unique "Registration number" which you must remember and quote for further processing. Subsequent to this a License Inspector will visit your site for inspection. Once the inspection and approval is complete you will receive an E-mail or letter notifying you about the same.

You should now approach the CSB again and quote the "Registration number " given to you in step 3. The operator will search for your details in the database using this number. If your details are present, the operator will print the Health Trade License for you and cut a G8 receipt. Pay the license fees and processing charges to the operator. Then the Health Trade license will be signed by the MCD officials.

### **Documents required:**

1. Copy of sanction plan/ completion certificate / structure safety certificate from registered architect.
2. Site Plan
3. Key Plan
4. Water connection and sewer connection
5. Indemnity Bond for Rs.100/-
6. Affidavit for Rs.10/-
7. Copy of partnership deed if any  
(Health trade FAQ- <http://www.mcdonline.gov.in/> )

**Departments Involved:**

As per the RTI reply, The departments involved are public heath, Veterinary services and ADC( HQ)

**License Fees:**

An amount of Rs.100/- per application will be collected as processing charges and Rs.100 will be charged as the license fees. In regard to the fees for license processing, Rs.250 will be collected as the Processing at the time of acceptance of application form for issue of New License.

**License Processing:**

As per the RTI reply, it is stated that the time prescribed in law for procuring each license is 30 days at the Zonal level and at head quarters level, the stipulated time is for the grant of license is 45 days.

**Cancellation:**

The commissioner may at any time cancel or suspend any license granted if he is of the 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 license is prosecuted under this Act or not.

**License Renewal:**

As per the act, 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.

Usually the licenses must be renewed in every year. Licenses renewed are valid up to 31st march. The renewals are happening in the month of April. The fees are same as that of new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid

**License Renewal fees:**

The fees are saying as for a new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid.

**Documents Required for the renewal of license:**

1. Original License copy
2. Any other documents, if asked for

**Amendment and issue of Duplicate License:**

All type of amendment applications are processed similar to the issue of new licenses except the issue of duplicate license. This will be processed from any of the Citizens Service Bureau. For a change in the constitution, a full fee which is similar to the new license except the processing charge will be collected.

A duplicate license will be issued on payment of Rs.100/- towards processing charges and on submission of the required documents when the original was lost, mutilated, destroyed etc. A fresh license with a new license number will be issued and the all license will be cancelled. For the duplicate license 'DUPLICATE' will be written on the top of the license.

Rs.250 will be charged as the fees for the Amendment and Renewal of license. In addition there will be a service charge of Rs.5/-

Rs.100 will be charged as the fees for the issue of duplicate license. In addition there will be a service charge of Rs.5/-

**Operation Timings:**

As per the Delhi Shops and establishments Act, 1954, no shops can be opened earlier than such hour or closed later than such hour as may be fixed by the State government By a general or a special order. Provided that any customer who was being served or was waiting to be served in any shop or commercial establishment at the closing hours so fixed may be served during the period of fifteen minutes immediately following such hour. Before making an order, the government shall hold an inquiry in such manner as may be prescribed. The government may fix different opening hours and different closing hour for different classes of shops or for different areas or for different times of the year.

**Documents Required For A Duplicate License:**

1. First Information Report (FIR)
2. Indemnity Bond in prescribed format.

**Collection of Trade License:**

The trade license will be issued by hand to the citizen at the CSB or couriered to the address requested by the citizen.

**Penalty:**

As per the RTI reply, prosecution action will be taken against the defaulters as per the Delhi Municipal Corporation Act under section 421, 422 and 423 which even includes the sealing of the premises



### III. Meat Shops :

Meat Shops are regulated by the Delhi Municipal Corporation Act 1957 and Prevention of Food Adulteration Act 1954 whereas the timings are fixed by Delhi shops and Establishments Act. Trade license is required and is governed by the Municipal Corporation of Delhi.

As per section 417, No person shall use or permit to be used any premises for any of the purposes listed in schedule without a license or otherwise than in conformity with the terms of a license granted by the Commissioner.

Section 420 says that 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 whatsoever whether it be for human consumption or not. Section 420 says that 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 whatsoever whether it be for human consumption or not.

As per Delhi Municipal Corporation Act 1957, Municipal markets and slaughter houses shall be under the control of the commissioner and the commissioner have the power to produce the order of closure by public notice. No persons shall, without the license from the commissioner can sale or expose for any animal or article. Any animal or article exposed for sale in contravention of this may be summarily removed form the market by or under the orders of the commissioner or any officer or employee of the Corporation authorized by the Commissioner. No place other than shall a municipal slaughterhouse be used as a slaughterhouse.

No person shall keep open for public use any market in respect of which a license is required by or under this Act, without obtaining a license or while is the license is at suspension or cancellation. 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 Commissione. 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 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 to give the license and the reasons must be recorded.

If any place is used for the sale of flesh or poultry in contravention of the provisions of the act, the commissioner may stop the use thereof by such means as he may consider necessary.

As per the act, If any horses, cattle or other quadruped animals or birds are kept on any premises in contravention of the provisions of Section 417, or are found abandoned and roaming or tethered on any street or public place or on any land belonging to the Corporation, the Commissioner or any officer empowered by him may seize them and may cause them to be impounded or removed to such place as may be appointed by the Government or the Corporation for this purpose and the cost of seizure of these animals or birds and of impounding or removing them and of feeding and watering them shall be

recoverable by sale by auction of these animals or birds. Provided that anyone claiming such animal or bird may, within seven days of the seizure get them released on his paying all expenses incurred by the Commissioner in seizing, impounding or removing and in feeding and watering such animal or bird, and on his producing a license for keeping these animals and birds issued under the provisions of Section 417 Whenever the Commissioner is of opinion that the user of any premises for any of the purposes referred to in sub-section (1) of Section 417 is causing a nuisance and such nuisance should be immediately stopped, the Commissioner may order the owner or the occupier of the premises to stop such nuisance within such time as may be specified in the order and in the event of the failure of the owner or occupier to comply with such order, the Commissioner may himself or by an officer subordinate to him cause such user to be stopped. Without prejudice to the foregoing provisions of this section any person by whom or at whose instance any horses, cattle or other quadruped animals or birds are so kept, abandoned or tethered, shall also be punishable under this Act.

If the Commissioner or any person authorized by him in this behalf has reason to believe that any animal intended for human consumption is being slaughtered or that the flesh of any such animal is being sold or exposed for sale, in any place or manner not duly authorized under this Act, he may, at any time by day or night without notice, inspect such place for the purpose of satisfying himself as to whether any provision of this Act or of any bye-law under this Act at the time in force is being contravened thereat and may seize any such animal or the carcass of such animal or such flesh found therein. The Commissioner may remove and sell by auction or otherwise dispose of any animal or carcass of any animal or any flesh seized. If within one month of such seizure the owner of the animal, carcass or flesh fails to appear and prove his claim to the satisfaction of the Commissioner or if the owner is convicted of an offence under this Act in respect of such animal, carcass or flesh, the proceeds of any sale under sub-section (1) shall vest in the Corporation

Any person slaughtering any animal or selling or exposing for sale the flesh of any such animal in any place or manner not duly authorized under the provisions of this Act may be arrested by any police officer without a warrant. No claim shall lie against any person for compensation for any damage necessarily caused by any such entry or by the use of any force necessary for affecting such entry.

The eleventh schedule of the Delhi Municipal Corporation Act 1957 specifies a list of items for which the premises may not be used without a license. The licensing and Enforcement Department of MCD issues a general Trade license under the section 417 of the DMC Act. Apart from the General Trade license, MCD'S health department also issues license for the shops dealing in eatables or other commodities. The MCD issues license after the trade has started.

As per the information provided by the Municipal Corporation of Delhi, meat shops need trade license. The procedure is as follows:

#### **Licensing Procedure:**

An application for a trade license can be made either at a Citizen's service Bureaus (CSB) or through the internet. In the case of the submission through internet, the applicant can submit the necessary documents at any of the CSB's after marking the document with the unique acknowledgement number allotted to his application on the internet.

For getting a new Trade License from the nearest CSB. You need to Submit an application form at the CSB which is available at the at the CSB for Rs.25/-. You can also download a form available on our web site and use it for this purpose.

After submitting the application with the necessary documents, the operator will feed in your details to the computer. You will have to pay processing fees, subsequently a G8 receipt shall be given to you. This G8 receipt will contain the unique "Registration number" which you must remember and quote for further processing. Subsequent to this a License Inspector will visit your site for inspection. Once the inspection and approval is complete you will receive an E-mail or letter notifying you about the same.

You should now approach the CSB again and quote the "Registration number "given to you in step 3. The operator will search for your details in the database using this number. If your details are present, the operator will print the Health Trade License for you and cut a G8 receipt. Pay the license fees and processing charges to the operator. Then the MCD officials will sign the Trade license.

**Documents required:**

1. Copy of sanction plan/ completion certificate / structure safety certificate from registered architect.
2. Site Plan
3. Key Plan
4. Water connection and sewer connection
5. Indemnity Bond for Rs.100/-
6. Affidavit for Rs.10/-
7. Copy of partnership deed if any

(Health trade FAQ- <http://www.mcdonline.gov.in/>)

**Departments Involved:**

As per the RTI reply, the departments involved are public heath, Veterinary services and ADC (HQ)

**License Fees:**

An amount of Rs.500/- per application will be collected as processing charges and Rs.300 will be charged as the license fees. In regard to the fees for license processing, Rs.250 will be collected as the Processing at the time of acceptance of application form for issue of New License.

**License Processing:**

As per the RTI reply, it is stated that the time prescribed in law for procuring each license is 30 days at the Zonal level and at head quarters level, the stipulated time is for the grant of license is 45 days.

**Cancellation:**

The commissioner may at any time cancel or suspend any license granted if he is of the 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 license is prosecuted under this Act or not.

**Timings :**

As per the Delhi Shops and establishments Act 1954, no shops or commercial establishments on any day be opened earlier than such hour or closed later than such hour as fixed by the Government by general or special order Provided that any customer waiting to be at the closing hour fixed may be served during the period of fifteen minutes immediately following such hour must be served during the quarter of an hour immediately following such hour. The government shall hold an enquiry in the prescribed manner and can fix different timings for different classes and different areas.

**CONDITIONS:**

The following are conditions for meat shops as per the by-laws framed under section 415, Delhi Municipal Corporation Act, 1957. A licensee of met shop is supposed to observe the following:

1. The premises shall be structurally sound
2. The floor and walls upto a height of one meter shall be made of impervious concrete material and the corner will be rounded to facilitate smooth washing and cleaning of the premises
3. The floor area shall not be less than 8 sq.m and the height not less than 3 m
4. The premises shall be drained into sewer, and where there is no sewer, into a surface drain the satisfaction of health authorities
5. The premises shall be well ventilated and adequately light
6. Continuous supply of safe water shall be ensured in the premises. In case of intermittent water supply, adequate storage arrangements shall be made
7. A wash hand basin made of porcelain /stainless steel be provided along with soap and nail brush for through cleaning of hands
8. The walls ceiling shall be white/colour washed every 6 months and the wood work shall be painted every year. The premises shall be kept in a good state of repairs at all times
9. Sufficient number of fans shall be provided to keep the premises cool
10. A waste bin with a pedal operated cover shall provided in the premises for the collection of waste material. This will be emptied, and washed daily with a disinfectant
11. All tables, racks, shelves, boards etc must have zinc/aluminum/stainless steel/marble/sun-mica top to facilitate proper cleaning
12. A sign board indicating the type of meat sold shall be displayed prominently. Nothing else but meat and raw meat products shall be sold at the premises.
13. The floor and skirted walls shall be washed with a disinfectant like phenyl at the close of day's business
14. The premises shall be kept free from all insects by an insecticidal spray having knock-down effect at the close of day's business. No spraying shall be done during the conduct of business, but instead fly swats/flaps shall be used to kill sprays flies getting in the premises

15. The premises shall not be used for residential purposes, nor it shall communicate with any residential quarter. No personal belonging like clothing, bedding, shoes etc. shall be kept in the premises
16. No carcass shall be kept in a manner so as to be open to public view from outside. A small wire gauze show case shall be maintained for keeping pieces of meat ready for sale.
17. Only dressed carcass, meat and cleaned offal shall be stored at the premises. Hides, skin, hoofs, heads and uncleaned gut will not be allowed in the premises at any time. Refrigerator/Ice-box of adequate size shall be provided for storage of meat and meat products.
18. The implements and chopping block shall be washed with boiling water. The chopping block should be dried and salted every day at the close of business.
19. All persons working in the premises shall be medically examined and immunized against cholera and enteric group of fevers at the time of issue /renewal of license. The certificate of medical fitness and immunization shall be displayed prominently in the shop along with license.
20. Workers shall maintain a high standard of personal hygiene at all times. No smoking ,chewing pan and snuff shall be allowed in the premises.
21. Clean polythene bag shall be used as packing material for retail sale of meat.
22. The transportation of carcasses from the slaughter house to the premises shall be done under hygiene condition in boxes of adequate size lined with zinc/aluminum/stainless steel or wire gauze meat safes, which must be washed daily.
23. Wholesome meat obtained from authorized source only shall be sold at the counter. Unstamped meat is liable to be confiscated and destroyed.

#### **License Renewal:**

As per the act, 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. Usually the licenses must be renewed in every year. Licenses renewed are valid up to 31st march. The renewals are happening in the month of April. The fees are same as that of new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid.

#### **License Renewal fees:**

The fees are same as for a new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid.

#### **Documents Required For The Renewal Of License:**

1. Original License copy
2. Any other documents, if asked for

### **Amendment and issue of Duplicate License :**

All type of amendment applications are processed similar to the issue of new licenses except the issue of duplicate license. This will be processed from any of the Citizens Service Bureau. For a change in the constitution, full fees which are similar to the new license except the processing charge will be collected.

A duplicate license will be issued on payment of Rs.100/- towards processing charges and on submission of the required documents when the original was lost, mutilated, destroyed etc. A fresh license with a new license number will be issued and the all license will be cancelled. For the duplicate license 'DUPLICATE' will be written on the top of the license.

Rs.250/- will be charged as the fees for the Amendment and Renewal of license. In addition there will be a service charge of Rs.5/-

Rs.100/- will be charged as the fees for the issue of duplicate license. In addition there will be a service charge of Rs.5/-

### **Documents Required For A Duplicate License:**

1. First Information Report (FIR)
2. Indemnity Bond in prescribed format.

### **Collection of Trade License:**

The trade license will be issued by hand to the citizen at the CSB or couriered to the address requested by the citizen.

### **Penalty:**

As per the RTI reply, prosecution action will be taken against the defaulters as per the Delhi Municipal Corporation Act under section 421, 422 and 423 which even includes the sealing of the premises

### **IV. Barber Shops:**

Barber Shops are regulated by the Delhi Municipal Corporation Act 1957 and Prevention of Food Adulteration Act 1954 whereas the timings are fixed by Delhi shops and Establishments Act . Trade license is required and is governed by the Municipal Corporation of Delhi.

As per section 417, no person shall use or permit to be used any premises for any of the purposes listed in schedule without a license or otherwise than in conformity with the terms of a license granted by the Commissioner.

Section 420 says that 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 whatsoever whether it be for human consumption or not.



The eleventh schedule of the Delhi Municipal Corporation Act 1957 specifies a list of items for which the premises may not be used without a license. As per the schedule, barber shop needs a license.

The licensing and Enforcement Department of MCD issues a general Trade license under the section 417 of the DMC Act. Apart from the General Trade license, MCD'S health department also issues license for the shops dealing in eatables or other commodities. The MCD issues license after the trade has started.

As per the information provided by the Municipal Corporation of Delhi, the license needed for eating house is the health trade license. The procedure is as follows:

### **Licensing Procedure:**

An application for a trade license can be made either at a Citizen's service Bureaus (CSB) or through the internet. The application can be submitted in any of the 12 MCD zonal offices also. In the case of the submission through internet, the applicant can submit the necessary documents at any of the CSB's after marking the document with the unique acknowledgement number allotted to his application on the internet.

For getting a new Health Trade License from the nearest CSB .you need to Submit an application form at the CSB which is available at the at the CSB for Rs.25/-. You can also download a form available on our web site and use it for this purpose.

After submitting the application with the necessary documents, the operator will feed in your details to the computer. You will have to pay processing fees, subsequently a G8 receipt shall be given to you. This G8 receipt will contain the unique "Registration number" which you must remember and quote for further processing. Subsequent to this a License Inspector will visit your site for inspection. Once the inspection and approval is complete you will receive an E-mail or letter notifying you about the same.

You should now approach the CSB again and quote the "Registration number " given to you in step 3.The operator will search for your details in the database using this number. If your details are present, the operator will print the Health Trade License for you and cut a G8 receipt. Pay the license fees and processing charges to the operator. Then the Health Trade license will be signed by the MCD officials.

### **Documents required:**

1. Copy of sanction plan/ completion certificate / structure safety certificate from registered architect
2. Site Plan
3. Key Plan
4. Water connection and sewer connection
5. Indemnity Bond for Rs.100/-
6. Affidavit for Rs.10/-
7. Copy of partnership deed if any

(Health trade FAQ- <http://www.mcdonline.gov.in/>)

**Departments Involved:**

As per the RTI reply, The departments involved are public health, Veterinary services and ADC( HQ)

**License Fees:**

An amount of Rs.500/- per application will be collected as registration charges and Rs.240 will be charged as the license fees. In regard to the license processing fees, Rs.250/- will be collected as the Processing at the time of acceptance of application form for issue of new License.

**License Processing:**

As per the RTI reply, it is stated that the time prescribed in law for procuring each license is 30 days at the Zonal level and at head quarters level, the stipulated time is for the grant of license is 45 days.

**Cancellation:**

The commissioner may at any time cancel or suspend any license granted if he is of the 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 license is prosecuted under this Act or not.

**Timings:**

As per the Delhi Shops and establishments Act 1954, no shops or commercial establishments on any day be opened earlier than such hour or closed later than such hour as fixed by the Government by general or special order Provided that any customer waiting to be at the closing hour fixed may be served during the period of fifteen minutes immediately following such hour must be served during the quarter of an hour immediately following such hour. The government shall hold an enquiry in the prescribed manner and can fix different timings for different classes and different areas.

**License Renewal:**

As per the act, 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. Usually the licenses must be renewed in every year. Licenses renewed are valid up to 31st march. The renewals are happening in the month of April. The fees are same as that of new license. If a license is renewed between 1<sup>st</sup> march &30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid

**License Renewal fees:**

The fees are same as for a new license. If a license is renewed between 1<sup>st</sup> march &30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge

will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid.

**Documents Required For The Renewal Of License:**

1. Original License copy
2. Any other documents, if asked for

**Amendment and issue of Duplicate License :**

All type of amendment applications are processed similar to the issue of new licenses except the issue of duplicate license. This will be processed from any of the Citizens Service Bureau. For a change in the constitution, a full fee which is similar to the new license except the processing charge will be collected.

A duplicate license will be issued on payment of Rs.100/- towards processing charges and on submission of the required documents when the original was lost, mutilated, destroyed etc. A fresh license with a new license number will be issued and the all license will be cancelled. For the duplicate license 'DUPLICATE' will be written on the top of the license.

Rs.250 will be charged as the fees for the Amendment and Renewal of license. In addition there will be a service charge of Rs.5/-

Rs.100 will be charged as the fees for the issue of duplicate license. In addition there will be a service charge of Rs.5/-

**Documents required for a duplicate license:**

1. First Information Report (FIR)
2. Indemnity Bond in prescribed format.

**Collection of trade license:**

The trade license will be issued by hand to the citizen at the CSB or couriered to the address requested by the citizen.

**Penalty:**

As per the RTI reply, prosecution action will be taken against the defaulters as per the Delhi Municipal Corporation Act under section 421, 422 and 423 which even includes the sealing of the premise

**V.Cycle Rickshaw:**

As per the Cycle Rickshaw bye laws, 1960, amended from time to time, one person is granted one Cycle Rickshaw license, except widows and handicapped, who can be granted up to a maximum of five licenses each pursuant to directives of the Honorable Supreme Court of India in order to earn their livelihood.

As per the Cycle Rickshaw bye laws, 1960, no person shall keep or ply for hire a cycle rickshaw in Delhi Unless he himself is the owner thereof and holds a license granted in that

behalf by the commissioner on the payment of the fine that may from time to time be fixed. Provided no person will be granted more than one license. Provided further the commissioner may grant more than one more licenses to a widow or handicapped subject to the maximum of five licenses.

As per the bye law, the plying of rickshaw without license can be seized and disposed of through public auction after getting the same dismantled, deformation of such process including smashing it into a scrap after a reasonable time as decided from se of exceptions.

### **Licensing Procedure:**

Applications are invited from time to time for the grant of Cycle rickshaw licenses at the Zonal level. The applications are to be submitted in the zonal offices with the required documents. Cycle Rickshaw licenses are granted through Citizen Services Bureau (s) in every Municipal Zones of MCD.

An application for a trade license can be made either at a Citizen's service Bureaus (CSB) or through the internet. The application can be submitted in any of the 12 MCD zonal offices also. In the case of the submission through internet, the applicant can submit the necessary documents at any of the CSB's after marking the document with the unique acknowledgement number allotted to his application on the internet.

### **Departments Involved :**

Cycle rickshaw licenses are granted through the citizen service Bureau (s) in every Municipal zones of the MCD. Hackney Carriage wings of the department deals with the issue of granting Cycle rickshaw licenses under the supervision and the control of the zonal Authorities.

### **License processing:**

As per the bye law, licensing starts from November and ends on 31<sup>st</sup> December of the next year.

### **License Fees:**

At present the license fees is RS.50 /- per license.

### **License Renewal:**

As per the byelaw, the license granted to the pullers shall be valid for a period of three years and the license for rickshaw shall expire on 31<sup>st</sup> October next following the date of issue. Every Cycle Rickshaw licensee is supposed to be renewed the license on expiry. The fees and procedures are same as the new one.

### **Regulations:**

Cycle Rickshaw licenses are granted subject to the fulfillment of laid-down terms and conditions at the time of seeking licenses at the Zonal level of the MCD.

**Conditions :**

As per the byelaw, No license shall be issued unless the following conditions are observed:

1. The width of the rickshaw must be overall 3 feet 9 inches
2. The length must be 8 feet
3. The height of the rickshaw on wheels excluding the overhead shade must be 36 inches
4. The width of the seat must not be less than 29 inches. This is applicable to new rickshaws after the commencement of bye law.
5. The legroom for passengers is 1 feet 9 inches
6. The Cycle rickshaw shall be in good order and repair in all parts
7. The cycle rickshaw shall be brought to inspection as required by the commissioner
8. Serial number must be painted on the payment of fees. The number shall not be removed, altered defaced or obliterated
9. The license shall expire on 31<sup>st</sup> October next following the date of issue.
10. The driver of rickshaw shall attend in person when so ordered by the commissioner
11. Driver shall produce the license and list of fares as requested by the commissioner, Municipal Magistrate, police officer or any person hiring or intending to hire the rickshaw
12. Photographs must be affixed in the license and the expenses must be borne by the licensee

**Conditions for Driver License :**

1. The person must be well trained in driving the rickshaw
2. Acquainted with principal streets of Delhi
3. Must be well aware of traffic rules and regulations
4. Must be in good Physique (good Health and not less than 21 years of age ) and been convicted of an offence involving moral degradation
5. While propelling, he shall not pass a terminal tax barrier without stopping and reporting himself on the clerk in charge there and shall not move the rickshaw unless the clerk completed the assessment and collected the terminal tax on goods if any carried by it.
6. Must not disobey the directions of police officer for the regulation of traffic and control of rickshaw in the stand
7. Keep the lamp properly lighted during the lighting time
8. Must not propel rickshaw in an intoxicated state and not use any insulting, obscene or abusive language. He must not make obstruction to any vehicle or propeller
9. He is supposed to wear kaki uniform and it must be clean
10. Photograph and left thumb mark of the driver must be affixed in license
11. The driver must also follow the rules for the obligation of hiring, parking fares and the number of persons to be carried as provided in the byelaw
12. He is supposed to wear the badge inscribed with the number in license. This shall be returned on suspension, cancellation and termination of license
13. The license shall not be transferable
14. Commissioner or authorized officers have power to remove the rickshaw found plying on suspension, revocation, cancellation etc.

**Penalty:**

As per the Cycle Rickshaw Bye laws, no person can ply on hire any cycle rickshaw within the municipal limit without a valid from the respective zonal authority. As per the provisions of Byelaws, the plying of rickshaw without license can be seized and disposed of through public auction after getting the same dismantled, deformation of such process including smashing it into a scrap after a reasonable time as decided from the corporation from time to time. Fine is also being levied. It can extend to Rs.50/- and Rs.50 per day will be charged for continuity.

**FINDINGS FROM THE STUDUY****General Findings:**

1. The trades in Delhi are controlled by Municipal Corporation of Delhi and is handled by the licensing department through sections 416 & 417 of the DMC Act, 1957
2. A person who intends to set up a trade can apply for a trade license. An application for a trade license can be made either at a CSB or through the internet
3. The eleventh schedule of the Delhi Municipal Corporation act 1957 specifies a list of items for which the premises may not be used without a license. As per the schedule, an eating house needs a license
4. Section 420 says that No person shall, without or otherwise than in conformity with the terms of a licence granted by the Commissioner can hawk or expose for sale in any place any article whatsoever whether it be for human consumption or not
5. The licensing and Enforcement Department of MCD issues a general Trade license under the section 4517 of the DMC Act. Apart from the General Trade license, MCD'S health department also issues license for the shops dealing in eatables or other commodities. The MCD issues license after the trade has started
6. Factory Licensing Department deals with the issue of licenses under Sections 416/417 of the DMC Act, 1957 for the units run by power, mechanical energy or by steam, within the Municipal jurisdiction of the MCD. The applications which are received for the grant of new licenses and renewal thereof are dealt with by the Department in accordance with the policy laid down by the Corporation/Delhi Government./Government of India from time to time. The f types of licenses are issued by the Department are Licenses in industrial/conforming areas, Licenses in Local Commercial Areas and Licenses for Household Categories
7. Licenses under all the above categories as per the provisions of Master Plan of Delhi and other terms and conditions of Delhi Municipal Corporation
8. A person who intends to set up a trade can apply for a trade license. An application for a trade license can be made either at a Citizen's service Bureaus (CSB) or through the internet. In the case of the submission through internet, the applicant can submit the necessary documents at any of the Citizen's Service Beareu after marking the document with the unique acknowledgement number allotted to his application on the internet
9. If a trade is to be conducted in the Conforming Area / Local Commercial Area, then the trades falls in the category A and If a If a trade is to be conducted in the Non-Conforming Area / Household then the trades falls in the category B.
10. Documentary proof of legal occupancy of the unit , Documentary proof of establishment of trade with effect from the date, Site plan , Key Plan, Power load sanction in case of water cooling plant/ ice cream plants/ ice factory from factory



- department, Indemnity Bond for Rs.100/- ,Affidavit for Rs.10/- ,NOC from land-owning agency and Deed of constitution, if any are required for a new license
11. Original License copy and Any other documents, if asked for are needed for the renewal of license :
  12. First Information Report (FIR) and Identity Bond in prescribed format are needed for a duplicate license
  13. As per the RTI reply, it is stated that the time prescribed in law for procuring each license is 30 days at the Zonal level and at head quarters level, the stipulated time is for the grant of license is 45 days
  14. An amount of Rs.500/- per application will be collected as processing charges, which includes handling charges of Rs.50/- plus service charges have to be paid for application submission and for getting a license the fees has to be paid as applicable for trade
  15. The fees are same as for a new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid
  16. All type of amendment applications are processed similar to the issue of new licenses except the issue of duplicate license. This will be processed from any of the Citizens Service Bureau For a change in the constitution, full fees which is similar to the new license except the processing charge will be collected
  17. A duplicate license will be issued on payment of Rs.100/- towards processing charges and on submission of the required documents when the original was lost, mutilated, destroyed etc. A fresh license with a new license number will be issued and the all license will be cancelled. For the duplicate license 'DUPLICATE' will be written on the top of the license
  18. The trade license will be issued by hand to the citizen at the CSB or couriered to the address requested by the citizen
  19. As per the Delhi Shops and establishments Act 1954, no shops or commercial establishments on any day be opened earlier than such hour or closed later than such hour as fixed by the Government by general or special order Provided that any customer waiting to be at the closing hour fixed may be served during the period of fifteen minutes immediately following such hour. served during the quarter of an hour immediately following such hour. The government shall hold an enquiry in the prescribed manner and can fix different timings for different classes and different areas
  20. For health trades, health department will issue health tradelicense whereas procedure is same

#### **DHABA:**

1. Dhaba's are regulated by the Delhi Municipal Corporation Act 1957 and Prevention of Food Adulteration Act 1954 whereas the timings are fixed by Delhi shops and Establishments Act. Trade license is required to run dhaba and is governed by the Municipal Corporation of Delhi
2. As per section 421, No person shall, without or otherwise than in conformity with the terms of a licence granted by the commissioner can 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

3. Delhi Municipal Corporation Act 1957 also envisages that all the articles of food carried by the vendor shall be kept in a glass cases and must be protected from the dust and flies. Only edible food articles shall be carried for sale, which are manufactured in licensed premises. The vendor shall have to disclose the name of the place where food is prepared. He must be free from diseases and must obtain a fatness certificate. The licensee must carry the license at all the times and supposed to produce, if it is asked for inspection. The vendor shall be immunised against cholera or other enteric group fever at the time of issue / renewal of license. No articles unfit for human consumption can be sold. The failure in the provisions may result in legal which can even a revocation of license
4. The eleventh schedule of the Delhi Municipal Corporation Act 1957 specifies a list of items for which the premises may not be used without a license. As per the schedule, an eating house needs a license
5. The licensing and Enforcement Department of MCD issues a general Trade license under the section 417 of the DMC Act. Apart from the General Trade license, MCD'S health department also issues license for the shops dealing in eatables or other commodities. The MCD issues license after the trade has started
6. As per the information provided by the Municipal Corporation of Delhi, the license needed for eating house is the health trade license
7. The commissioner may at any time cancel or suspend any license granted if he is of the 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 license is prosecuted under this Act or not
8. As per the act, 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. Usually the licenses must be renewed in every year. Licenses renewed are valid up to 31st march. The renewals are happening in the month of April. The fees are same as that of new license. If a license is renewed between 1<sup>st</sup> march & 30<sup>th</sup> April, there are no late fees. If the license is renewed after 30<sup>th</sup> April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid
9. As per the RTI reply, prosecution action will be taken against the defaulters as per the Delhi Municipal Corporation Act under section 421, 422 and 423 which even includes the sealing of the premises

### **Vegetable Vendors :**

1. Vegetable Vendors are regulated by the Delhi Municipal Corporation Act 1957 and Prevention of Food Adulteration Act 1954 whereas the timings are fixed by Delhi shops and Establishments Act. Trade license is required and is governed by the Municipal Corporation of Delhi
2. Municipal Corporation of Delhi has included any vehicle selling eatables in the hawkers list. So vegetables are also in the hawker's list. All the hawking articles meant for eatables are also classified as one of the trade under the health trade license. So vegetable sellers do have the same procedures like dhaba except the license fees.

### Meat Shops:

1. Meat Shops are regulated by the Delhi Municipal Corporation Act 1957 and Prevention of Food Adulteration Act 1954 whereas the timings are fixed by Delhi shops and Establishments Act. Trade license is required and is governed by the Municipal Corporation of Delhi
2. As per Delhi Municipal Corporation Act 1957, Municipal markets and slaughter houses shall be under the control of the commissioner and the commissioner have the power to produce the order of closure by public notice. No persons shall, without the license from the commissioner can sale or expose for any animal or article. Any animal or article exposed for sale in contravention of this may be summarily removed form the market by or under the orders of the commissioner or any officer or employee of the Corporation authorized by the Commissioner. No place other than a municipal slaughterhouse shall be used as a slaughterhouse
3. No person shall keep open for public use any market in respect of which a license is required by or under this Act, without obtaining a license or while is the license is at suspension or cancellation. 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
4. 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 'ntended 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 to give the license and the reasons must be recorded
5. f any place is used for the sale of flesh or poultry in contravention of the provisions of the act, the commissioner may stop the use thereof by such means as he may consider necessary
6. As per the act, If any horses, cattle or other quadruped animals or birds are kept on any premises in contravention of the provisions of Section 417, or are found abandoned and roaming or tethered on any street or public place or on any land belonging to the Corporation, the Commissioner or any officer empowered by him may seize them and may cause them to be impounded or removed to such place as may be appointed by the Government or the Corporation for this purpose and the cost of seizure of these animals or birds and of impounding or removing them and of feeding and watering them shall be recoverable by sale by auction of these animals or birds. Provided that anyone claiming such animal or bird may, within seven days of the seizure get them released on his paying all expenses incurred by the Commissioner in seizing, impounding or removing and in feeding and watering such animal or bird, and on his producing a license for keeping these animals and birds issued under the provisions of Section 417 Whenever the Commissioner is of opinion that the user of any premises for any of the purposes referred to in sub-section (1) of Section 417 is causing a nuisance and such nuisance should be immediately stopped, the Commissioner may order the owner or the occupier of the premises to stop such nuisance within such time as may be specified iii the order and in the event of the failure of the owner or occupier to comply with such order, the Commissioner may himself or by an officer subordinate to him cause such user to be stopped
7. Without prejudice to the foregoing provisions of this section any person by whom or at whose instance any horses, cattle or other quadruped animals or birds are so kept, abandoned or tethered, shall also be punishable under this Act

8. If the Commissioner or any person authorised by him in this behalf has reason to believe that any animal intended for human consumption is being slaughtered or that the flesh of any such animal is being sold or exposed for sale, in any place or manner not duly authorized under this Act, he may, at any time by day or night without notice, inspect such place for the purpose of satisfying himself as to whether any provision of this Act or of any bye-law under this Act at the time in force is being contravened thereat and may seize any such animal or the carcass of such animal or such flesh found therein
9. The Commissioner may remove and sell by auction or otherwise dispose of any animal or carcass of any animal or any flesh seized .If within one month of such seizure the owner of the animal, carcass or flesh fails to appear and prove his claim to the satisfaction of the Commissioner or if the owner is convicted of an offence under this Act in respect of such animal, carcass or flesh, the proceeds of any sale under sub-section (1) shall vest in the Corporation
10. Any person slaughtering any animal or selling or exposing for sale the flesh of any such animal in any place or manner not duly authorised under the provisions of this Act may be arrested by any police officer without a warrant. No claim shall lie against any person for compensation for any damage necessarily caused by any such entry or by the use of any force necessary for affecting such entry
11. The eleventh schedule of the Delhi Municipal Corporation Act 1957 specifies a list of items for which the premises may not be used without a license. The licensing and Enforcement Department of MCD issues a general Trade license under the section 417 of the DMC Act. Apart from the General Trade license, MCD'S health department also issues license for the shops dealing in eatables or other commodities. The MCD issues license after the trade has started
12. A licensee of met shop is supposed to observe the conditions provided to him

### **Barber Shops :**

1. It follows the general procedure like any other trades . No special Instruction.

### **Cycle Rickshaw:**

1. As per the Cycle Rickshaw bye laws, 1960, amended from time to time, one person is granted one Cycle Rickshaw license, except widows and handicapped, who can be granted up to a maximum of five licenses each pursuant to directives of the Honorable Supreme Court of India in order to earn their livelihood
2. As per the Cycle Rickshaw bye laws, 1960, no person shall keep or ply for hire a cycle rickshaw in Delhi Unless he himself is the owner thereof and holds a license granted in that behalf by the commissioner on the payment of the fine that may from time to time be fixed. Provided that no person will be granted more than one license. Provided further that the commissioner may grant more than one more licenses to a widow or handicapped subject to the maximum of five license
3. As per the bye law, the plying of rickshaw without license can be seized and disposed of through public auction after getting the same dismantled, deformation of such process including smashing it into a scrap after a reasonable time as decided from set of exceptions
4. Applications are invited from time to time for the grant of Cycle rickshaw licenses at the Zonal level. The applications are to be submitted in the zonal offices with the required documents. Cycle Rickshaw licenses are granted through Citizen Services Bureau (s) in every Municipal Zones of MCD

5. An application for a trade license can be made either at a Citizen's service Bureaus (CSB) or through the internet. The application can be submitted in any of the 12 MCD zonal offices also. In the case of the submission through internet, the applicant can submit the necessary documents at any of the CSB's after marking the document with the unique acknowledgement number allotted to his application on the internet
6. Cycle rickshaw licenses are granted through the citizen service Bureau (s) in every Municipal zones of the MCD. Hackney Carriage wings of the department deals with the issue of granting Cycle rickshaw licenses under the supervision and the control of the zonal Authorities
7. As per the bye law, licensing starts from November and ends on 31<sup>st</sup> December of the next year
8. At present the license fees is RS.50 /- per license
9. As per the byelaw, The license granted to the pullers shall be valid for a period of three years and the license for rickshaw shall expire on 31<sup>st</sup> October next following the date of issue. Every Cycle Rickshaw licensee is supposed to be renewed the license on expiry. The fees and procedures are same as the new one
10. Cycle Rickshaw licenses are granted subject to the fulfillment of laid-down terms and conditions at the time of seeking licenses at the Zonal level of the MCD
11. As per the Cycle Rickshaw Bye laws, no person can ply on hire any cycle rickshaw within the municipal limit without a valid from the respective zonal authority. As per the provisions of Byelaws, The plying of rickshaw without license can be seized and disposed of through public auction after getting the same dismantled, deformation of such process including smashing it into a scrap after a reasonable time as decided from the corporation from time to time. Fine is also being levied. It can extend to Rs.50/- and Rs.50 per day will be charged for continuity