

## **RULES AND REGULATIONS GOVERNING THE LICENSING OF MEAT SHOPS IN GUWAHATI**

**State: Assam**

**Details of licensing are as follows:**

Meat Shops are regulated as per the directions of *Guwahati Municipal Corporation Act 1971 and GUWAHATI MUNICIPAL CORPORATION (REGULATING THE USE OF MARKETS AND SLAUGHTER HOUSES) BYELAWS, 1976*. In addition they are also supposed to follow the Prevention of Food Adulteration act 1954.

The Corporation may provide places for use as municipal markets. Meat shops are allowed to run there. Some important details are as follows:

Under Section 180 of Guwahati Municipal Corporation Act 1971, it is been directed that every person who exercise any trade indicated in the fourth schedule shall annually take out a license before the first day of April in each year or within one month of the commencement of the trade. Provided the grant of such license shall not be deemed to affect the liability of the licensee to take out a license under any section of the Act. Under IV schedule, Dhaba's are entitled to take a license.

*As per the GAUHATI MUNICIPAL CORPORATION (REGULATING THE USE OF MARKETS AND SLAUGHTER HOUSES) BYE-LAWS, 1976*, "Licensee" means a person, firm, corporation or association who is licensed to run the establishment in municipal and private markets and slaughter house. "License" means a formal written permission granted to person/persons for carrying out business within the markets or in the slaughter houses as defined in the Act. Year" means a year commencing on the 1<sup>st</sup> day of April as defined under Section 3(87) of the Act. The Commissioner shall cause a notice to the effect that the market has been so licensed, to be affixed in some conspicuous place at or near the entrance of every such market.

*As per the GAUHATI MUNICIPAL CORPORATION (REGULATING THE USE OF MARKETS AND SLAUGHTER HOUSES) BYE-LAWS, 1976*, no person shall, without a valid license from the Commissioner, occupy and carry on business in a shed, stall or room in a municipal market. Only one license is needed to open a meat shop and slaughter house each from Guwahati Municipal Corporation.

Act says that the license has to be affixed in some conspicuous place at or near the entrance of every such market. When a license has been refused or withheld as aforesaid, the Commissioner shall cause a notice of such refusal or withholding, to be affixed in some conspicuous place at or near the entrance of such market. Any shop or stall keeper of the municipal market closing his shop or stall, unless for some unavoidable reasons of a private or domestic nature or refusing to sell goods to any person offering the market price for the same will be liable for cancellation of the competent to eject the shop or the stall keeper from the municipal market.

### **License Procedure:**

Application for a Trade license has to be done within one month from the date of opening the shop. Application should be attached with prescribed documents. Any person carrying on any trade, profession or calling in Guwahati city needs to obtain trade license from Guwahati Municipal Corporation. One may apply for trade license in the prescribed form in

respective zonal revenue office of Guwahati Municipal Corporation. For convenience of public Guwahati Municipal Corporation (GMC) issues provisional trade license for ordinary trades and professions immediately. The applications are sent to the deputy commissioner of the respective zones.

As per section 180 of the Guwahati Municipal Corporation Act 1971, every person who exercise any trade indicated in the fourth schedule shall annually take out a license before the first day of April in each year or within one month of the commencement of the trade. Provided the grant of such license shall not be deemed to affect the liability of the licensee to take out a license under any section of the Act.

The act also sets provisions for the commissioner to grant a license for a person even for a previous year in which no license has been taken out on the payment of the fees which would have been payable thereof in the first instance. But if a person has been prosecuted by the police, this provision cannot be used in defense for the prosecution.

Provisional license for ordinary trades may be issued immediately within half an hour of the receipt of the application and the payment of license fees if the application form is filled up properly. On submission of necessary documents and physical verification, provisional licenses may be made regular. In case of the delay, imposition of penalty or the closure of the shop may be done.

In case of delay, additional amount will be realized from the traders. The trade license is issued after application in prescribed form with required supporting documents and proper spot verification of the business.

As per RTI reply, the traders are supposed to take out a license before first day of April in each year. If delayed the office have the power to impose the penalty of 20 % upon the defaulter traders.

#### **Departments involved:**

The Guwahati Municipal Corporation is involved. The commissioner of the Guwahati Municipal Corporation or the authorized officer is responsible. The Veterinary Branch, Guwahati Municipal Corporation and the authority issuing license is the Commissioner, Guwahati Municipal Corporation or his authorized officer is the department dealing. The Commissioner and /or any officer or employee in charge of a municipal market shall be competent to inspect, take measurement of any rooms, stall, or shed during working hours and may demand opening of a closed room, stall or shed to ascertain if any of the bye-laws and terms and conditions of the license and agreement has been violated.

#### **Documents Required:**

1. Agreement with the landlord by the tenant in case of rented house.
2. Tax payment receipt. (Tax payment receipt up-to-date.)
3. No-Objection Certificate for building permission.
4. Partnership deed.
5. House rent receipt.

**License Fees:**

Remission of fees will be done to the Commissioner on the basis of the application submitted by the traders on valid grounds and the fees will adjust in Zonal office if Commissioner satisfied. At present application fees is Rs.30, medical fees is Rs.200 and the License fee is Rs.1250. So a total fee of Rs.1480 has to be submitted.

As per the GAUHATI MUNICIPAL CORPORATION (REGULATING THE USE OF MARKETS AND SLAUGHTER HOUSES) BYE-LAWS, 1976, the Commissioner may levy fees at such rates as the Standing Committee may determine and may place collection of such fees under the management of such persons as may appear to him proper on such terms and subject to such conditions as he may deem fit. Further, such fees shall be recoverable in such manner as the Commissioner may deem fit.

As per section 180 of the Guwahati Municipal Corporation Act, the commissioner may refund the fees if he feels that the trade has not been exercised for more than consecutive six months. He can also exempt a person who is unable to pay the fees according to him . He can declare that particular person to be entitled to take out a license under a lower class.

**License processing:**

As per section RTI reply, there is no prescribed time limit for processing such license. Undue delay may be found, if anything found unsatisfactory. This may be brought to the notice of the commissioner, Guwahati Municipal Commissioner either by officials or by the applicant for redressal.

**Time prescribed:**

There is no such prescribed time limit for processing such license. As soon as verification of trades also relevant documents submitted, the license is issued immediately. Undue delay may be happened if anything found not satisfactory. This may be brought to the notice of the commissioner either by the officials or by the applicant for redressal.

**Renewal of license:**

Validity of the trade license is only for one year (i.e. 1<sup>st</sup> April to 31 March). If license is not renewed in due time then 20% penalty will be realized with the license fees. Annually take out a trade license before the 1<sup>st</sup> day of April in each year. If delayed, then the office has the power to impose the penalty of 20% upon the defaulter traders.

**Opening and Closing Hours:**

Subject to restrictions that may be imposed by the Government, every shop and stall keeper of a municipal market shall be bound to keep his shop and stall open from 8 am to 8pm unless for unavoidable domestic cause in individual cases.

**Killing Permit (abattoir license):**

For slaughter of cattle, people need to take an abattoir license from Shillong to kill the cattle outside Guwahati or in the border of Shillong and Guwahati.

### **Road Permit:**

For carrying the meat through Guwahati roads or entering into Guwahati with the meat they have to take a road permit from Deputy Commissioner. For getting a Road permit, he has to file a petition addressing to Deputy Commissioner for issuing a permit and submit the petition in the Superintendent, Magistracy Branch of D.C office. From the District Commissioner's office it is forwarded to Superintendent of Police of the concerned district for enquiry report. From the Superintendent of Police, it is forwarded to the officer in charge of the Police station of the place where the beef center is going to be located. If there is no objection report comes from the police station, he is given the permit from the Deputy Commissioner.

### **Some Directions:**

1. No person shall store, sell or sale animal, fish, vegetable or any article on approaches, foot-paths within the municipal market and shall in no way obstruct, put hurdles on free movement of people visiting the market. Any person contravening this provision and animal, fish, vegetable or any article so exposed for sale by person may be summarily removed from the market by or under the orders of the Commissioner or any employee of the Corporation authorized by the Commissioner in this behalf
2. No person shall hold any sale of article by auction in any municipal limit without the written permission of the Commissioner
3. No person shall hawk any article in such market without permission from the Commissioner
4. No person shall use any weights, scales or measures except such standard weights, scales and measures as prescribed from time to time by the Government.
5. No trader or person shall throw or deposit any article on the road or path or on the drain or in any way obstruct free flow of drain and/ or surrounding the municipal market.
6. No person shall obstruct or hinder or put hurdles to any staff engaged in clearance of drain, interior path and *open spaces in between the room, stall* or shed in a municipal market
7. No person shall exhibit or display advertisement of any nature in a municipal market without specific permission from the Commissioner
8. No person shall keep or allow to keep any basket bags, bags or other such articles on the roof of room, stall or shed or make provision for improvised shed for any purpose by spreading over the, sky/ Hessian, cotton or any other substance and take or allow to take *any* action, which indirectly contributes to creation of nuisance and breaking the orderly states of affairs in the municipal market
9. No trader shall keep or expose for sale fish or meat on raised paved platforms and at places set apart from the municipal market
10. No person shall carry any meat in a market unless it properly covered
11. No person shall sell or expose for sale any stale fish, meat or decayed vegetables in municipal market and the Municipal Officer or the Sanitary Inspectors of the Corporation shall be competent for destroying such fish, meat and vegetables in any manner as he deems fit and proper.
12. Every tenant in occupation of room, stall or shed in a municipal market shall keep and maintain every such room, stall or shed in his occupation in proper sanitary condition.
13. No trader shall keep inflammable articles in a room, stall or shed or use any part thereof for storage of such article without proper care and the Commissioner or the Medical Officer or any officer authorized for the purpose shall be competent to order removal or cause removal of such article from the said room, stall or shed

14. No person suffering from leprosy, an open sore or any loathsome, infectious or contagious disease may enter any market place and the Commissioner or any officer-in-charge of market shall be competent to remove such persons from such market place
15. No person shall sell or expose for sale in any market or by the side of any road any prepared or manufactured article intended for human food or drink unless such article is protected from flies, dust and other sources of contamination by means of sufficient covering or such other ways as may be prescribed from time to time. For breach of this byelaw the Medical Officer, Sanitary Inspector or any officer authorized for the purpose shall be competent to seize and dispose of such article in any manner as he deems fit and proper
16. No person shall satisfy a call of nature within any market area except at a urinal/latrine provide for the purpose.
17. No person shall carry on wholesale trade in fish and vegetable within or without the municipal market before making payment of prescribed toll fees to the authorized municipal market is farmed out
18. No vehicle or animal other than those intended for shall be permitted to remain in any part of a market except in such places provided for the purpose. No person shall spit in any avenue or passage in such market except in such places as may be provided for the purpose
19. The Commissioner or any other officer-in-charge of the markets may expel any such person who is found drunk or begging or loitering or making noise or fighting or quarrelling or using insulting, abusive or obscene language or misconduct or creating disturbance in any manner in such market

#### **Conditions for Licenses:**

1. The flooring and the drainage shall be kept at all times in good order and repair and there shall be provision for suitable means of ventilation and lighting along with sufficient supply of wholesome water
2. The sale of animal, fish and vegetable in the same stall shall be prohibited
3. The licensee shall ensure the absence of rats and other rodents in the premises
4. No person suffering from leprosy, open sore or any loathsome, infectious or contagious disease shall be allowed to enter the market

#### **Provisions applicable to the "SLAUGHTER HOUSES"**

The owner of any place within the limits of the city or at a distance within three miles of such limits which is used or proposed to be used as a slaughter house for the slaughtering of animals or for the skinning or cutting up of carcasses for the purpose of sale within the city shall get a license. One is supposed to take a license from the commissioner before the opening of the It shall not be less than forty-five days before the opening of the trade. For Renewal, it shall not be less than thirty days before the commencement of the year for which renewal of the license for the first time is sought for. Provided that no license for slaughterhouse within and outside the limits of the city shall be granted except with the previous sanction of the Government.

The Commissioner may, by an order and subject and subject to such restrictions and regulations as to supervision and regulations and inspection, as he thinks fit, grant or refuse to grant such license.

No tenant or occupier or a servant of a tenant or occupier of any slaughter house shall clean a carcass or meat elsewhere than upon a cleaning block or chopping board or otherwise than when properly attached to the hooks provided for the purpose in, upon or in connection with such a house. Ban on Slaughter of cattle below 14 years is in existence as per the Assam Cattle Preservation Act, 1950 which states that Slaughter of all cattle allowed on 'fit-for-slaughter' Certificate to be given if cattle is over 14 yrs of age or has become permanently incapacitated for work or breeding due to injury, deformity or any incurable disease as per the Assam Cattle Preservation Act, 1950.

**Procedure for regularizing:**

After duly filled up application for license form of Guwahati Municipal Corporation, a physical verification will be done by authorized employee of Guwahati Municipal Corporation and after getting report and other documents as mentioned at Sl.No 6, the authority will finalized in this aspect.

**Penalty:**

Penalty may be charged or shop may be closed as directed by the Commissioner, Guwahati Municipal Corporation for violations. A fine of Rs.500 or more can be charged. Any sale within the municipal market animal, fish, vegetable or any article so exposed for sale by person may be summarily removed from the market by or under the orders of the Commissioner or any employee of the Corporation authorized by the Commissioner in this behalf, if it is violating the regulations by the bylaws.

The Commissioner may expel from any municipal market any person who or whose servants have been convicted of contravening any of the bye-laws made under the Act of the time in force in such markets and may prevent such person or his servants, furthering or carrying on any trade or business in such market or occupying any room, stall, shed or other place and may terminate the tenure which the person may have in any such room, stall, shed or place. Whoever commits a breach of any of the bye-laws or any other condition of the license and agreement in addition to the measures specified under bye-laws shall be punishable with a fine which may extend to two hundred fifty rupees and which may extend to 50 rupees for every day during which such contravention continues after the first such contravention. Imprisonment up to maximum of six month or fine of up to rupees one thousand or both for violating the Ban on Slaughter of cattle below 14 years as per the directions of The Assam Cattle Preservation Act, 1950.