

RULES AND REGULATIONS GOVERNING THE LICENSING OF DHABA IN KOCHI

State: Kerala

Details of licensing procedures are as follows:

According to the Kerala Municipality Act, any person who enters a trade or any other business in streets has to get the prior permission from the concerned secretary of the corporation, in advance of 30 days. (D and O Schedule –M O H 12/10013/94). So dhaba also comes under it and can get license from corporation. The licenses are issued on the basis of the Kerala Municipalities Act and Rules 1994. Prevention of Food Adulteration Act and Kerala Shops and Commercial Establishments Act 1960 also has a major role with regard to food standards and Timings respectively. The procedures as per the Kerala Municipality Act is as follows:

The corporation secretary can issue or reject the license on the basis of law. The municipal councils are responsible for the implementation of the prevention of food adulteration Act and Rules made there under in their respective areas. The Municipal Secretaries and Health Officers (where there are Health Officers) are declared to be the local Health Authority. Food Inspectors in all the urban local bodies are authorized to attend sampling work by Government notifications. They collect samples of all varieties of food articles exposed for sale and send them to Government Analysts. If any article is found adulterated the persons concerned are prosecuted under the provisions of the Food Adulteration Act and 50% of the fines realised from the accused are paid over to the urban local bodies concerned.

Licensing Procedure:

Corporation of Kochi is the license issuing and the authoritative body in the case of dhabas. The applicant has to fill an application form which he can get from the corporation. The individual who wish to undertake any trade of food is requested to fill the application form with his signature and he/she should affix the court fee stamp of Rs.1/-. The applicant should attach the necessary documents along with the fees. Soon after the submission of the application form, along with the prescribed license fee that is mentioned in the Dangerous and Offensive Trade, has to be submitted at the Revenue department of the Municipal Corporation of Cochin. The health inspector along with the junior health authority of the respective area inspects the field and verifies whether it matches the document. The inspecting authorities have the full power to reject the application if found to be guilty and false. The applicant has to be eligible. The eligibility is based on the physical fitness he has devoid of any illness. His prior food preparation of hostility certificate is not needed. He and the workers should not possess any kind of illness. Sneezing, coughing and spitting are not allowed. Pan Masala, tobacco and cigarettes is also not permitted inside the shop. A good sanitation and water facility is a must. He has to properly handle the waste that is produced in the shop. One has to affix the licence sheet in the shop. The shop premises have to be well cleaned. His co-workers are also requested to be well as he himself.

Documents Required:

1. Ownership Certificate of the Shop
2. Receipt of Building Tax paid
3. The concerned certificate of the building owner which is to be written in the stamp paper affixing stamp of Rs.50/- (if it is not one's own shop).

License Fees:

The fees are prescribed as per the D and O Schedule. At present it is Rs. 100 for dhaba. The fees must be remitted at the revenue department along with the Application Form.

License renewal procedures:

The person has to apply for license in the prescribed format to the secretary after the commencement of every financial year i.e. after April 1st of every year. Application has to be submitted along with the following documents.

1. The copy of the D&O license sought to be renewed
2. The Treasury receipt showing that the fee for the renewal of the license specified in the rule has been paid

The person has to pay the following amounts also.

The Renewal fees will be as follows:

DATE	PERCENTAGE (%)
March 1 st to April 30	10%
May 1 st to June 30	20%
July 1 st to October31	30%
November 1 st onwards	50%

Though these are the procedures, the Corporation is not issuing any license to Dhaba, mobile vegetable shops and other Vendors.

Penalty:

Those who wish to take license have to apply to the secretary with the proper fees in advance of 30 days. Any failure in this regard can give a fine of 50%, in addition to the normal fees. The least of those additional fees will be Rs.5/- .In addition the violators will be punished as per the section 372 of kerala Municipalities Act.