

## **RULES AND REGULATIONS GOVERNING VEGETABLE SELLERS IN KOHIMA**

**State: Nagaland**

**Details of licensing are as follows:**

As per the RTI reply, Kohima Municipal Council issues trade license to the traders of the sale of vegetables under the jurisdiction of Municipal Council. The issue of trade license is based on Nagaland Motor Vehicle Rules and Prevention of Food Adulteration Act.

As per the section 396 of Nagaland Municipal Act 2001, no municipal license shall be given in respect of any non-residential premises within the municipal Limit which is otherwise than in conformity with the provisions of the Act or any regulation made there under. Act further says that no person can use any premises for any purposes without or otherwise than in conformity of a license granted by the chief officer of a municipality which in the opinion of the Chief officer is dangerous to health or property or likely to create a nuisance. License is needed for hawk or exposure for sale of any articles in any place within the municipal limits.

The act also says that no person shall keep open for public use any market in the municipal area of the municipality in respect of which a license is required by or under the Act without obtaining a license thereof or while the license therefore is suspended or after the same has been cancelled.

As per RTI, Vegetable sellers need license in Kohima.

**Procedure:**

Trade license is required for opening or operating any business in any area which falls under Kohima Municipal Council. The applicant has to obtain a declaration form from Kohima Municipal Council on the payment of Rs.200/- per form for per shop. Apart from Kohima Municipal Council trade license, a license is also required from Medical department especially for

eatables shops and a clearance certificate weight and measures department for those shops using scales.

The applicant has to get the approval and signature from the concerned area councilor. After this applicant have to report with the form to Kohima Municipal office for the issue of Trade license with fees. The officials of Kohima Municipal Council will conduct verification study to the premises regarding the feasibility.

The Medical License can be obtained from the Chief Medical officer by producing the Kohima Municipal Council trade license.

### **Authority:**

Chairperson / Deputy Chairperson, Kohima Municipal Council is the Authority in charge. Chief medical officer will be in charge of Medical license.

### **Documents Required:**

RTI do no describes of any documents required. Study interns reports that these documents are required:

1. Proof of Permanent Address
2. Proof of Education Qualification
3. Proof of Present Address Issued by the Concern authority where they are residing presently.
4. Latest Running Bank Account.
5. No objection from the Concern Ward Members
6. If rented premise, then No- Objection Certificate from the owner is also required.
7. In case of non Nagaland citizens Valid Inner Line Permit ( ILP) issued by the Deputy Commissioner of Administration in Nagaland

### **Fees:**

As per Act, the fees for license will be determined by the Municipality. In kohima the shops are divided into three categories where the fees are fixed at different categories. The tariff will be ranging from Rs.60 / - to Rs.360/- per month Approximately. The fees for medical license will be between Rs.100/- to Rs.300/- in approximate for annually.

**License Renewal:**

Usually the license renewal will be taking place from 1<sup>st</sup> April to 31<sup>st</sup> March .

**Stopping premises for sale:**

As per act, the Chief Officer in municipality may give public notice to declare any particular area not to be used for any purpose specified in section 396. The objections must be received within one month of the publication of declaration .The officer have to consider all the objection and have to make necessary modifications. The declarations have to be published in Gazette. After that no one is permitted to use the particular premise for the particular purposes referred in notice and the officer will have the power to stop the usage.

The officer also have the power to stop the use of any purpose, if he thinks that a particular premises is used in contravention of a license or without a license. Action will be taken for the continuity of offence.

**Penalty:**

For non-renewal / the failure for taking license will be charged Rs.50/- as penalty. It can even lead to the cancellation of license for regular offenders if detected.