

RULES AND REGULATIONS GOVERNING THE LICENSING OF DHABA IN LUCKNOW

State: Uttar Pradesh

Details of city permit procedures are as follows:

Dhabha is a public place for eating food and only one license is required to open a dhabha and which Nagar Nigam, Lucknow, provides. As defined in U. P Nagar Mahapalika Adhiniyam, 1959, eating house is a premise to which the public or any section of the public are admitted and where any kind of food is prepared or supplied for consumption on the premises or elsewhere for the profit or gain of any person owning or having an interest in or managing such premises

As per the section 438, it is clear that any trade carrying within the city and the one which is likely to create nuisance or dangerous to health requires a license from the mukhya Nagar Adhikari / the Corporation Commissioner.

Procedure:

The process is submitting a filled application form to nagar nigam. Nagar nigam, Health department is the regulatory body. Health officer is the authority for issuing a license in Health department of nagar nigam.

Documents Required:

The necessary documents are Address proof, ID proof & Address of place and no objection certificate for big establishments like factories etc.

Issue of License:

Only 1 week or 2 week is needed. If delayed then the dhabha is cancelled

License Fees:

Rs.100/- must be paid for getting a license and it is to be submitted in treasury of the nagar nigam. After 1 year and if delays then surcharge of Rs.200/- taken from the owner.

License Renewal:

The license must be renewed after 1 year by applying to the inspector concerned along with the same fees for a new license and if delays then surcharge of Rs.200/- taken by the owner.

Inspection:

As per the section 434 and 435 of U. P Nagar Mahapalika Adhiniyam, 1959, the mukhya Nagar Adhikari/ corporation commissioner have the power to inspect any food particles, which is exposed or hawked for sale or about for sale and also the containers used for preparing the same. If it is found unfit for human consumption, he can seize the article and carry away it and can arrest the person and also can take to the nearest police station.

Timings:

Different areas have different times in the year of working hours. However dhabas/ cooked food fall under Schedule II and so section 5 does not apply to it. Section 5 talks about working hours. Hence a dhaba can open and close a shop at any convenient time. As per Schedule II, dhaba does not fall under the purview of Section 8 as well, which talks about observing a holiday once a week. Hence dhaba can keep it open all seven days in a week. It isn't mandatory for it to remain closed on public holidays too.

Penalty:

Violation of norms amounts to a fine, which is generally Rs.100 and for every subsequent offence it is Rs.500. However in addition, the health officer will immediately close dhabha. Without license, no any dhabha will be continued or in process.