

RULES AND REGULATIONS GOVERNING THE LICENSING PROCEDURES OF EATING HOUSES / DHABA IN LUDHIANA

State: Punjab

Details of licensing procedures are as follows:

In Ludhiana, dhabas are considered as the place or shop where many persons are engaged in the preparation of food. This can be vegetarian or Non vegetarian. They charge the fixed cost of prepared food depends on the variety of food. It is established under license issued by corporation under the provisions of U/S 343 of Punjab Municipal Corporation Act, 1976.

Licensing procedure:

The person has to apply in the prescribed form which is available from corporation free of cost and the person will have to get the NO-Objection certificate from neighbours as well as M.T.P (Municipal Town planning department) , Fire Brigade, House tax and WSSA departments(Water Supply and Sewage Department).

No –Objection certificates:

No –Objection certificate from M.T.P:

For a commercial establishment, a building plan is required to be sanctioned from Municipal Corporation and before occupation and to start commercial business, a completion certificate as per u/s 272(2) of PMC Act 1976 is required.

Before issuing the N.O.C, the site inspection will be conducted by the area building inspector. The status of building, sanction of the building plan, fees paid etc. will be checked by the area building inspector at the time of inspection. The N.O.C's pertaining to the electric connections to the commercial establishments are issued by the Assistant Town Planner within one week, though there is no time schedule. There is no fixed validity period for the NOC'S and the state Electric city Board checks the NOC issued by corporation before issuing electric connection. There is no prescribed Performa for N.O.C. After issuing the NOC, no physical verification is done.

Before issuing the N.O.C, the following documents must be submitted:

1. Sale deed in support of the ownership.
2. Sanctioned building plan/receipt of composition fee paid in respect of the building for which NOC is required, if it newly constructed.
3. Before issuing N.O.C., Rs.1000/-as the prescribed fee is realized.

No –Objection certificate from Fire Brigade:

The No –Objection certificate from Fire Brigade is issued as per the provisions of ISI-2190. (Indian Standard Industries rules). A Building Plan must be submitted in advance and no need to pay any fees for this NO-Objection Certificate. The Premises will be verified physically as per the Guidelines of ISI and National Building Code. In Ludhiana, the employed officers will do the physical verification as per the rules of ISI. The Requirement of premise is as per the ISI and N.B.C. provisions. 7-10 days are required to issue N.O.C. The Validity of N.O.C is one year. After issuing the N.O.C, the premise will be checked by the department once in a year.

No –Objection certificate from Neighbours:

It is collected from the neighbours in the shape of their signatures with complete address in prescribed Performa. It must be minimum five or above

No –Objection certificate from House tax:

Nothing due Certificate to certify that the applicant have no house tax standing unpaid on the property is required. This copy will be sent to the applicant too. After that process, the department will check the records and N.O.C will be given accordingly.

No –Objection certificate from Water Supply and Sewage Department:

All the consumers who have the approved connection of water and sewage can get the No Objection Certificate by simply applying on a paper in application and attached copy of water and sewage bill at any time. No charges are taken from the applicant by the department for issuing it. Before issuing the certificate, the account is checked by the assistant engineer/field staff at the zonal office. On the basis of documents, No – Objection Certificate is issued.

Documents Required:

1. Filled form
2. No Objection Certificate from neighbours, Municipal Town Planners, Fire Brigade, House Tax and Water Supply and Sewage Department.

Verification:

The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbours.

Regulatory body:

Municipal Corporation.

License Fees:

The fee is as prescribed by the Ludhiana Municipal Corporation. It is Rs. 350/- upto 31st march

Fees Remittance:

The fees remittance can be done in the license department itself by chalan form/ cash

Processing time:

One month

Issue of License:

The License will be issued after the submission of documents and after completing the formalities from the license inspector, reports from Municipal town planners and fire brigade

License Duration:

One year.

License Renewal:

The person has to submit the filled form and has to produce the previous license receipt. The fees are equal to new license. But in the month of March, it will be 10% less, and from April to June, it will be 25% and July to September 50% and from October 100% penalty will be charged. The applicant does not have to submit again the No-Objection Certificate. The processing time is generally 15 to 20 days. Persons who get licenses renewed before 30th March shall be allowed rebate of 10% in license fees.

Other Formalities:

1. The license is to be checked by the staff of licensing department.
2. Blank copy of license can not be provided .It will be provided only after adopting the Rules and Regulations of the Municipal Corporation.
3. After the issue of license, there is no need to visit the physical verification or checking the premises after the issue of license.
4. No further checking will be there after the issue of license

Penalties:

Licenses must be obtained before or on 30th April of every year. In case of failure penalty shall be recovered as under:-

Period	Month	Fine amount
Up to 30th June		25%
Upto 30 th September		50%
From 1 st October onwards.		100%

Further punishment and more fine are according to the Violations of PFA act of 1954 on the complaint of CMO (Chief Medical Officer) in the city court.