

THE LIVELIHOOD REGULATIONS REPORT

MYSORE



PREPARED BY



IN PARTNERSHIP WITH



Centre for Civil Society

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PREFACE

The Livelihood regulations report aims at documenting the livelihood regulations and barriers in the informal sector. It was conducted in 63 cities across India where the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) is being implemented. This project was conducted by Centre for Public Policy Research, Cochin in partnership with Centre for Civil Society, New Delhi and is financed by Sir Dorabji Tata Trust (SDTT), Mumbai.

The report aims to unveil the laws applicable to entry-level professions like Auto Rickshaws, Barber Shops, Dhaba's, Meat Shops and mobile/stationary street vegetable/fruit vendors. These documents will effectively draw public attention to the issues faced by the entry-level professions in the informal sectors

Mysore is the second largest city in the state of Karnataka, India. It is the headquarters of the Mysore district and the Mysore division and lies about 146 km (91 mi) southwest of Bangalore, the capital of Karnataka. The name *Mysore* is an anglicised version of *Mahishūru*, which means the abode of *Mahisha*. *Mahisha* stands for Mahishasura, a demon from the Hindu mythology. The city is spread across an area of 128.42 km² (50 sq mi) and is situated at the base of the Chamundi Hills. Mysore is famous for the festivities that take place during the Dasara festival when the city receives a large number of tourists. Mysore also lends its name to the Mysore style of painting, the sweet dish Mysore Pak and the garment, Mysore silk saree. While tourism is the major industry in Mysore, the growth of information technology related industry in the first decade of the 21st century, has resulted in the city emerging as the second largest software exporter in the state of Karnataka, next to Bangalore.

According to the census of 2001, Mysore city had a total population of 799,228 with 406,363 males and 392,865 females, making it the second largest city in Karnataka. The gender ratio of the city is 967 females to every 1000 males and the population density is 6223.55 persons per km². Among the population, 76.76% are Hindus, 19% are Muslims, 2.84% are Christians and the remaining belongs to other religions. The city's population crossed the 100,000 mark in the census of 1931 and has seen a population growth of 20.5% in the decade 1991–2001. The literacy rate of the city is 82.8%, which is much higher than the state's average of 67%.

Kannada is the most widely spoken language in the city. Nineteen percent of the population in Mysore lives below the poverty line and 8.95% of the population live in slums.

The present report of the livelihood regulations in Mysore covers dhaba, vegetable sellers, auto rickshaw, barber shop and meat Shop.

MYSORE

The trades chosen for the study are:

1. **Dhabha/ food courts.**
2. **Vegetable/Fruit/Flower Sellers**
3. **Auto Rickshaw**
4. **Meat Shop**
5. **Barber Shop**

Mysore Municipal Corporation is functioning under the provisions of Karnataka Municipal Corporation Act, 1949. Prevention of food Adulteration Act 1954 has a major say in food related items. The Karnataka Shops and Commercial Establishment Act 1961 prescribes timing for operation where as motor vehicles are regulated By Karnataka Motor Vehicle Rules 1989 and Motor vehicles Act 1988.

The trade license is a legal requirement as per Karnataka Municipal Corporation Act 1976 for running a trade or business without a trade license.

Different categories of trade licenses:

The different categories are:

1. All eating establishments like Hotels, Restaurants, Refreshments, Dharshinies, Sale of Coffee and Tea , Lodging Houses, Bakeries, Sweet meat stall , Sale of Mutton, Beef, Fish , Pork and Chicken and Provision stores.
2. All trades which use motive power to run and to manufacture like, Industries, Factories, Workshops , Power looms , Flour Mills etc.
3. Offensive and dangerous trades like, charcoal depot , sale of firewood, timber wood, dry clean shops , Dhobi shops , Beauty parlour , Barbershop , Sale of edible oil, storage of ammunitions ,breweries, manufacture camphor and candles.

Trade wise details are as follows:

I.DHABA:

Dhaba's are regulated as per the direction of Karnataka Municipal Corporation Act 1976 where as the directions for timings for operation are fixed by the Karnataka Shops and Commercial Establishment Act 1961. Provisions of Prevention of Food Adulteration Act are also applicable to food related items.

As per section 343 of Karnataka Municipal Corporation Act 1976, No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner keep any eating house, tea-shop, coffee-house, cafe, restaurant, refreshment room, or any place, where the public are admitted for repose or for the consumption of any food or drink or any place where food is sold or prepared for sale.

The Commissioner may at any time cancel or suspend any license granted if he is of opinion that the premises covered thereby are not kept in conformity with the conditions

of such license or with the provisions of any bye-law made under section 423 relating to such premises whether or not the licensee is prosecuted under this Act.

As per section 353, No place within the limits of the city shall be used for any of the purposes mentioned in Schedule X without a license obtained from the Commissioner and except in accordance with the condition, specified therein. The Commissioner shall, if so required by the corporation, publish a notification in the Official Gazette and in two or more local newspapers that any place at a distance within five kilometers of the limits of the city shall not be used for any one or more of the purposes mentioned in Schedule X without a license obtained from the Commissioner and except in accordance with the conditions specified therein: Provided that no such notification shall take effect, unless the sanction of the Government has been obtained therefor; and until the expiry of thirty days from the date of its publication in the Official Gazette.

Section 370 says that no person shall, without the permission of the Commissioner, or if the fees have been farmed out, of the farmer, sell or expose for sale any animal or article within any public market. Any person who contravenes sub-section (1) or any condition of the license or any regulation made under section 378 or in any bye-law made under section 423 or who commits default in payment of the fees leviable under section 369 may after three clear days' notice be summarily removed from such market by any corporation officer or servant and any lease or tenure which any person may possess may be terminated for such period and from such date as the Commissioner may determine without prejudice to the legal rights of the corporation to prosecute the person or to recover the fees leviable under section 369 and expenses, if any which the corporation may incur in such removal.

In Mysore, Dhaba's requires a license.

Licensing Procedure:

Mysore City Corporation issues license as per the provisions of Karnataka Municipal Corporation Act 1976.

As per the Karnataka Municipal Corporation Act, the owner or occupier of every place for the use of which for any purpose a license is required under the act shall apply to the Commissioner for such license not less than thirty days before the place is used for such purpose or within thirty days of the publication of the notification under sub-section (2) in the Official Gazette, as the case may be

Section 443 says that Every licence or permission granted under this Act or any rule or bye law made under it shall specify the period, if any, for which and the restrictions, limitations and conditions subject to which the same is granted and shall be signed by the Commissioner. Act also says that Every licence, permission, notice, bill, schedule, summons, warrant or other document which is required by this Act or by any rule, bye-law or regulation made under it to bear the signature of the Commissioner or of any corporation officer shall be deemed to be properly signed if it bears the facsimile of the signature of the Commissioner or of such corporation officer, as the case may be, stamped thereupon

At first the applicant should apply in the Prescribed Application Form 353 and application form 354 (if Motive power is used) from the Municipal Office which costs Rs.2/- each. The

concerned ward Health Inspector will give the details of License fees for that particular trade and the trader has to get his signed filled applications along with the fees has to be submitted to the concerned ward Health Inspector. The license will be issued after inspecting the place of trade, regarding suitability of the trade.

As per the Act, an applicant for the removal of a licence or permission, or registration, shall until communication of orders on his application, be entitled to act as if the licence or permission or registration had been renewed; and save as otherwise specially provided in this Act, if orders on an application for licence or permission or for registration are not communicated to the applicant within forty five days after the receipt of the application by the Commissioner, the application shall be deemed to have been allowed for the year or for such less period as is mentioned in the application and subject to the provisions of this Act, the rules, bye-laws, regulations and all conditions ordinarily imposed

Departments Involved:

Health department of the Corporation is the department concerned. The authority is the concerned ward Health Inspector

Documents required for issuing license: -

1. Application Form 353
2. Affidavit copy for the proof of trade by stamp paper with notary seal for running the trade
3. Address proof in the owner's name
4. Tax paid for the current year up to date with receipt copy
5. Owner/Neighbour consent letter
6. Rent agreement copy if rented premise
7. Any other documents, if asked for

License Fees:

Act says that licence or permission fees shall be paid in advance as may be fixed by the corporation except in special cases provided under the Act. Provided that not more than one fee shall be levied in respect of any purpose specified in more heads than one of Schedule X if such heads form part of a continuous process of manufacture and the fee so charged shall not exceed the highest fee chargeable in respect of any one of the said purposes.

As reported by the intern, at present the fees is Rs.500/- within city limits upto 5 kilometres. Rs.250/- is the fees for above 5 kilometres (urban Areas). Rs.3000/- will also be charge for validity for every year

The acceptance by the corporation of the pre-payment of the fee for a licence or permission or for registration shall not entitle the person making such pre-payment to the licence or permission or to registration, as the case may be, but only to refund of the fee in case of refusal of the licence or permission or of registration

Processing:

License will be issued from 1st April to 31st March of each and every year. Normally it will take 8 to 10 days. In case if documents are incomplete and incorrect it may take more time.

Refusal, suspension and Cancellation:

As per the Act, Every order of the Commissioner or other municipal authority granting or refusing a licence or permission shall be published on the notice board of the corporation if an application is denied by the commissioner, and then the trader may appeal to standing committee (health) by producing the denied letter.

Notwithstanding anything contained in this Act, any licence or permission granted under this Act or any rule or bye-law made under it, may at any time be suspended or revoked by the Commissioner, if any of its restrictions or conditions is evaded or infringed by the grantee or if the grantee is convicted of a breach of any of the provisions of this Act or of any rule, bye-law or regulation made under it, in any matter to which such licence or permission relates, or if the grantee has obtained the same by misrepresentation or fraud.

When any licence or permission is suspended or revoked or when the period for which it was granted or within which application for renewal should be made has expired, the grantee shall for all purposes of this Act, or any rule or bye-law made under it be deemed to be without licence or permission made until the order suspending or revoking the licence or permission is cancelled or subject to sub-section (10) until the licence or permission is renewed, as the case may be.

Inspection:

As per the act, every grantee of any licence or permission, shall at all reasonable times while such licence or permission remains in force, produce the same at the request of the Commissioner.

It shall be the duty of the Commissioner to inspect places in respect of which a licence or permission is required by or under this Act, and he may enter any such place between sunrise and sunset, and also between sunset and sunrise if it is open to the public or any industry is being carried on at the time, and if he has reason to believe that anything is being done in any place without a licence or permission, where the same is required by or under this Act, or otherwise than in conformity with the same, he may at any time by day or night without notice enter such place for the purpose of satisfying himself whether any provision of law, rules, bye-laws, regulations, any condition of a licence or permission or any lawful direction or prohibition is being contravened and no claim shall lie against any person for any damage or inconvenience necessarily caused by the exercise of powers under this sub-section by the Commissioner or any person to whom he has lawfully delegated his powers or by the use of any force necessary for effecting an entrance under this sub-section.

License Renewal

Renewal period is from January 1st to March 31st of every year. As per the Act, Every license shall expire at the end of the year for which it is granted, or at such earlier date as the Commissioner may, for special reasons, specify in the license. Applications for renewal of such licenses shall be made not less than thirty days before the commencement of

the year for which renewal is sought. The license may be renewed to such conditions or the Commissioner may specify restrictions as or he may refuse to renew if it is likely to cause nuisance in the neighbourhood. Where a license is granted under this section for the use of any place outside the limits of the city, the corporation shall pay to the local authority within the limits of which such place is situated, such proportion of the fee received by the corporation for the grant or renewal of such license as the Government may, by general or special order, determine.

As per the Regulations of corporations, the license issued will be having validity for 1 year. For the renewal of license, every person have to pay the stipulated fees according to the last year basis on or before 29th February each and every year. After then only the license is renewed for future years and handover to us. Meantime we have to surrender the old license to City Corporation Office.

Applications for renewal of such licenses shall be made not less than 30 days before the commencement of the year for which renewal is sought. Delayed renewal will attract of 50% license fees. If trade License has expired three months back, then the trader have to pay the renewal fees with 50% fine. If license has expired more than a year back, the due fee along with fine, the present year fee has to be paid.

Renewal Fees:

Fees are same as that of fresh license.

Documents Required for Renewal:

1. Original License copy.
2. Previous year fees challans.
3. Up to date tax paid receipt.

Timings:

As per the Karnataka shops and Establishment Act 1961, no employee in any establishment shall be required to work for more than nine hours on a day and forty- eight hours in a week.

Punishment:

As per the Karnataka Municipal Corporation Act, running an unauthorized Trade is offence. The concerned authority may seize or lock your Trade business with or without intimation.

Whenever any person is convicted of an offence in respect of the failure to obtain a licence or permission or to make registration required by the provisions of this Act, or by any rule or bye-law made under this Act, the magistrate shall, in addition to any fine which may be imposed, recover summarily and pay over to the corporation the amount of the fee chargeable for the licence or permission or for registration and may in his discretion also recover summarily and pay over to the corporation such amount, if any, as he may fix as the costs of the prosecution.

Such recovery of the fee shall not by itself entitle the person convicted to a licence or permission or to registration as aforesaid.

As per the act, keeping an eating house without a license or in contrary of a license will charge a penalty of Rs.100.

II VEGETABLE SHOP:

Vegetable vendors are regulated as per the direction of Karnataka Municipal Corporation Act 1976 where as the directions for timings for operation are fixed by the Karnataka Shops and Commercial Establishment Act 1961. Provisions of Prevention of Food Adulteration Act are also applicable to food related items.

As per section 353, No place within the limits of the city shall be used for any of the purposes mentioned in Schedule X without a license obtained from the Commissioner and except in accordance with the condition, specified therein. The Commissioner shall, if so required by the corporation, publish a notification in the Official Gazette and in two or more local newspapers that any place at a distance within five kilometers of the limits of the city shall not be used for any one or more of the purposes mentioned in Schedule X without a license obtained from the Commissioner and except in accordance with the conditions specified therein: Provided no such notification shall take effect, unless the sanction of the Government has been obtained therefor; and until the expiry of thirty days from the date of its publication in the Official Gazette.

Section 370 says that no person shall, without the permission of the Commissioner, or if the fees have been farmed out, of the farmer, sell or expose for sale any animal or article within any public market. Any person who contravenes sub-section (1) or any condition of the license or any regulation made under section 378 or in any bye-law made under section 423 or who commits default in payment of the fees leviable under section 369 may after three clear days' notice be summarily removed from such market by any corporation officer or servant and any lease or tenure which any person may possess may be terminated for such period and from such date as the Commissioner may determine with-out prejudice to the legal rights of the corporation to prosecute the person or to recover the fees leviable under section 369 and expenses, if any which the corporation may incur in such removal.

In Mysore, Vegetable sellers require a license. But Vegetable Vendors does not Requires License as per schedule X.

Licensing Procedure:

Mysore City Corporation issues license as per the provisions of Karnataka Municipal Corporation Act 1976.

As per the Karnataka Municipal Corporation Act, The owner or occupier of every place for the use of which for any purpose a license is required under the act shall apply to the Commissioner for such license not less than thirty days before the place is used for such purpose or within thirty days of the publication of the notification under sub-section (2) in the Official Gazette, as the case may be.

Section 443 says that Every licence or permission granted under this Act or any rule or bye law made under it shall specify the period, if any, for which and the restrictions, limitations and conditions subject to which the same is granted and shall be signed by the Commissioner. Act also says that Every licence, permission, notice, bill, schedule, summons, warrant or other

document which is required by this Act or by any rule, bye-law or regulation made under it to bear the signature of the Commissioner or of any corporation officer shall be deemed to be properly signed if it bears the facsimile of the signature of the Commissioner or of such corporation officer, as the case may be, stamped thereupon.

At first the applicant should apply in the Prescribed Application Form 353 and Application form 354 (if Motive power is used) from the Municipal Office which costs Rs 2/- each. The concerned ward Health Inspector will give the details of License fees for that particular trade and the trader has to get his signature. The filled applications along with the fees has to be submitted to the concerned ward Health Inspector. The license will be issued after inspecting the place of trade, regarding suitability of the trade.

As per the Act, an applicant for the removal of a licence or permission, or registration, shall until communication of orders on his application, be entitled to act as if the licence or permission or registration had been renewed; and save as otherwise specially provided in this Act, if orders on an application for licence or permission or for registration are not communicated to the applicant within forty five days after the receipt of the application by the Commissioner, the application shall be deemed to have been allowed for the year or for such less period as is mentioned in the application and subject to the provisions of this Act, the rules, bye-laws, regulations and all conditions ordinarily imposed.

Departments Involved:

Health department of the Corporation is the department concerned. . The authority is the concerned ward Health Inspector

Documents required for issuing license: -

1. Application Form 353.
2. Affidavit copy for the proof of trade by stamp paper with notary seal for running the trade
3. Address proof in the owner's name.
4. Tax paid for the current year up to date with receipt copy.
5. Owner/Neighbour consent letter.
6. Rent agreement copy if rented premise.
7. Any other documents, if asked for

License Fees:-

Act says that licence or permission fees shall be paid in advance as may be fixed by the corporation except in special cases provided under the Act. Provided that not more than one fee shall be levied in respect of any purpose specified in more heads than one of Schedule X if such heads form part of a continuous process of manufacture and the fee so charged shall not exceed the highest fee chargeable in respect of any one of the said purposes. As reported by the intern, at present the fees is Rs.300/-

The acceptance by the corporation of the pre-payment of the fee for a licence or permission or for registration shall not entitle the person making such pre-payment to the licence or permission or to registration, as the case may be, but only to refund of the fee in case of refusal of the licence or permission or of registration.

Processing:

License will be issued from 1st April to 31st March of each and every year. Normally it will take 8 to 10 days. In case if documents are incomplete and incorrect it may take more time.

Refusal, suspension and Cancellation:

As per the Act, Every order of the Commissioner or other municipal authority granting or refusing a licence or permission shall be published on the notice board of the corporation. If an application is denied by the commissioner, then the trader may appeal to standing committee (health) by producing the denied letter.

Notwithstanding anything contained in this Act, any licence or permission granted under this Act or any rule or bye-law made under it, may at any time be suspended or revoked by the Commissioner, if any of its restrictions or conditions is evaded or infringed by the grantee or if the grantee is convicted of a breach of any of the provisions of this Act or of any rule, bye-law or regulation made under it, in any matter to which such licence or permission relates, or if the grantee has obtained the same by misrepresentation or fraud.

When any licence or permission is suspended or revoked or when the period for which it was granted or within which application for renewal should be made has expired, the grantee shall for all purposes of this Act, or any rule or bye-law made under it be deemed to be without licence or permission made until the order suspending or revoking the licence or permission is cancelled or subject to sub-section (10) until the licence or permission is renewed, as the case may be.

Inspection:

As per the act, every grantee of any licence or permission, shall at all reasonable times while such licence or permission remains in force, produce the same at the request of the Commissioner.

It shall be the duty of the Commissioner to inspect places in respect of which a licence or permission is required by or under this Act, and he may enter any such place between sunrise and sunset, and also between sunset and sunrise if it is open to the public or any industry is being carried on at the time, and if he has reason to believe that anything is being done in any place without a licence or permission, where the same is required by or under this Act, or otherwise than in conformity with the same, he may at any time by day or night without notice enter such place for the purpose of satisfying himself whether any provision of law, rules, bye-laws, regulations, any condition of a licence or permission or any lawful direction or prohibition is being contravened and no claim shall lie against any person for any damage or inconvenience necessarily caused by the exercise of powers under this sub-section by the Commissioner or any person to whom he has lawfully delegated his powers or by the use of any force necessary for effecting an entrance under this sub-section.

License Renewal

Renewal period is from January 1st to March 31st of every year.

As per the Act, Every license shall expire at the end of the year for which it is granted, or at such earlier date as the Commissioner may, for special reasons, specify in the license. Applications for renewal of such licenses shall be made not less than thirty days before the commencement of the year for which renewal is sought. The license may be renewed to

such conditions or the Commissioner may specify restrictions as or he may refuse to renew if it is likely to cause nuisance in the neighbourhood. Where a license is granted under this section for the use of any place outside the limits of the city, the corporation shall pay to the local authority within the limits of which such place is situated, such proportion of the fee received by the corporation for the grant or renewal of such license as the Government may, by general or special order, determine.

As per the Regulations of corporations, the license issued will be having validity for 1 year. For the renewal of license, every person have to pay the stipulated fees according to the last year basis on or before 29th February each and every year. After then only the license is renewed for future years and handover to us. Meantime we have to surrender the old license to City Corporation Office.

Applications for renewal of such licenses shall be made not less than 30 days before the commencement of the year for which renewal is sought. Delayed renewal will attract of 50% license fees. If trade License has expired three months back, then the trader have to Pay the renewal fees with 50% fine. If license has expired more than a year back, the due fee along with fine, the present year fee has to be paid.

Renewal Fees:

Fees is same as that of fresh license.

Documents Required for Renewal:

1. Original License copy.
2. Previous year fees challans.
3. Up to date tax paid receipt.

Timings:

As per the Karnataka shops and Establishment Act 1961, no employee in any establishment shall be required to work for more than nine hours on a day and forty- eight hours in a week.

Punishment:

As per the Karnataka Municipal Corporation Act, running an unauthorized Trade is offence. The concerned authority may seize or lock your Trade business with or without intimation.

Whenever any person is convicted of an offence in respect of the failure to obtain a licence or permission or to make registration required by the provisions of this Act, or by any rule or bye-law made under this Act, the magistrate shall, in addition to any fine which may be imposed, recover summarily and pay over to the corporation the amount of the fee chargeable for the licence or permission or for registration and may in his discretion also recover summarily and pay over to the corporation such amount, if any, as he may fix as the costs of the prosecution. Such recovery of the fee shall not by itself entitle the person convicted to a licence or permission or to registration as aforesaid.

As per the act, using any place mentioned in the schedule without a license or in contrary of a license will charge a penalty of Rs.200

III.AUTO RICKSHAW:

As per Section 66 of Motor Vehicles Act 1988, permit is necessary. Motor Vehicles Act 1988 is the legislative directions towards the issue of permit. License relates to driver whereas permit relates to the control of operation of Motor Vehicle. Permits are issued to ply on certain routes Authorized by the Transport Authorities. The Transport Department Officials is the regulatory authorities for the implementation of Motor Vehicles Act. Permits are issued by Regional Transport Authority or the secretary of Regional Transport Authority for a transport Vehicle to ply on a public Road where as the licenses to drive vehicles are issued by the Licensing Authority / assistant Licensing Authority in the Transport department. Permits are issued for the vehicle but license is issued to a person to drive a particular type of vehicle

Auto Rickshaws are regulated by the RTO (Regional Transport Office) on the basis of motor Vehicles Act 1988 and Karnataka Motor Vehicle Rules 1989. The Regional Transport office issues the permits and number plates will be given in yellow plate with black letters.

Temporary Permits and Special Permits will be issued for a limited period for the conveyance of passengers on special occasion such as Fairs, Religious Gatherings, Seasonal Business, Temporary need or pending decision of renewal of permit. Operating a vehicle without permit attracts hefty fine including conviction.

Permit Procedure:-

Every application for permit shall be in the prescribed form. As per the act and rules, every permit shall be signed and sealed by the transport authority by which permit is issued.

As per the motor vehicle rules, no permit shall be issued until the registration mark is not entered in the vehicle. If an applicant fails to produce the registration certificate within the stipulated time, the Regional Transport Authority may withdraw the sanction of permit.

Authority issuing City Permit:

Regional Transport Authority/ Secretary of the Regional Transport Authority is the authority to grant Permits.

Fees: -

Rs.750/- will be charged as permit fees.

Documents Required:-

For city permit (PCOP) necessary document are

1. Filled form.
2. Ration Card- copy
3. Driving license copy.
4. Address proof.

5. Insurance Certificate
6. Tax Card
7. Fitness certificate

Renewal Of permits:

As per Section 81 of The Motor vehicles Act 1988 which deals with the duration and renewal of permits, A permit other than a temporary permit issued under section 87 or a special permit issued under sub-section (8) of section 88 shall be effective from the date of issuance or renewal thereof for a period of five years. Provided that where the permit is countersigned under sub-section (1) of section 88, such counter-signature shall remain effective without renewal for such period so as to synchronise with the validity of the primary permit.

The Act also says that the permit may be renewed on an application made not less than fifteen days before the date of its expiry. Notwithstanding anything contained in sub-section (2), the Regional Transport Authority or the State Transport Authority as the case may be, entertain an application for the renewal of a permit after the last date specified in that sub-section if it is satisfied that the applicant was prevented by good and sufficient cause from making an application within the time specified.

As per the section (4) Of the section 81 of the Motor Vehicles Act 1988, The Regional Transport Authority or the State Transport Authority, as the case may be, may reject an application for the renewal of a permit on one or more of the following grounds, namely:-

1. The financial condition of the applicant as evidenced by insolvency, or decrees for payment of debts remaining unsatisfied for a period of thirty days, prior to the date of consideration of the application;
2. The applicant had been punished twice or more for any of the following offences within twelve months reckoned from fifteen days prior to the date of consideration of the application committed as a result of the operation of a stage carriage service by the applicant, namely Plying any vehicle without payment of tax due on such vehicle, Without payment of tax during the grace period allowed for payment of such tax and then stop the plying of such vehicle on any unauthorized route and Making unauthorized trips:

Provided that in computing the number of punishments for the purpose of clause (b), any punishment stayed by the order of an appellate authority shall not be taken into account: Provided further that no application under this sub-section shall be rejected unless an opportunity of being heard is given to the applicant.

In the case of the permits which has been renewed after the expiry of the period thereof, such renewal shall have effect from the date of such expiry irrespective of whether or not a temporary permit has been granted under clause (d) of section 87, and where a temporary permit has been granted, the fee paid in respect of such temporary permit shall be refused.

Terms and conditions:

One is supposed to follow the section 74 of Motor Vehicles Act 1988. Some special instructions includes:

1. Auto Rickshaw can travel with passengers within 15 kilometres only in city limit.
2. Auto Rickshaw can pick up 3 persons only by travelling
3. Uniform is necessary (Khaki)
4. Auto rickshaw must bear the token number and Badge issued by the Transport department and Local Auto Committees
5. Black shoes is necessary

Penalty:

An amount of Rs.300/- will be collected for vehicles without Permit.

As per Section 192A of The Motor Vehicles Act 1988, using vehicle without permit is punishable. The act says that Whoever drives a motor vehicle or causes or allows a motor vehicle to be used in contravention of the provisions of sub-section (1) of section 66 or in contravention of any condition of a permit relating to the route on which or the area in which or the purpose for which the vehicle may be used, shall be punishable for the first offence with a fine which may extend to five thousand rupees but shall not be less than two thousand rupees and for any subsequent offence with imprisonment which may extend to one year but shall not be less than three months or with fine which may extend to ten thousand rupees but shall not be less than five thousand rupees or with both. Provided that the court may for reasons to be recorded, impose a lesser punishment. Nothing in this section shall apply to the use of a motor vehicle in an emergency for the conveyance of persons suffering from sickness or injury or for the transport of materials for repair or for the transport of food or materials to relieve distress or of medical supplies for a like purpose: Provided that the person using the vehicle reports about the same to the Regional Transport Authority within seven days from the date of such use.

As per Section 200 any offence whether committed before or after the commencement of this Act punishable section 192, may either before or after the institution of the prosecution, be compounded by such officers or authorities and for such amount as the State Government may, by notification in the Official Gazette, specify in this behalf. As per subsection (2) of section 200, an offence which has been compounded under sub-section (1) the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence.

IV. Meat Shops:

Meat Shops are regulated as per the directions of Karnataka Municipal Corporation Act 1976 where as the directions for timings for operation are fixed by the Karnataka Shops and Commercial Establishment Act 1961. Provisions of Prevention of Food Adulteration Act are also applicable to food related items.

As per section 364, the corporation shall provide a sufficient number of places for use as corporation slaughter-houses and the Commissioner may charge and levy such rents and fees for their use as the standing committee may determine, such rents and fees shall be recoverable in the same manner as the property tax. The Commissioner may farm out the collection of such rents and fees for any period not exceeding three years at a time on such terms and conditions as he may think fit.

Act also says that the Corporation slaughter-houses may be situated within the city limits or outside the limits of the city with the sanction of the Government. The owner of any place within the limits of the city or at a distance within five kilometers of such limits which is used as a slaughter house for the slaughtering of animals or for the skinning or cutting up of carcasses shall, not less than thirty days before the commencement of the year for which the license is sought or in the case of a place to be newly opened, not less than one month before the opening of the same, apply to the Commissioner for a license. Provided that this sub-section shall not be applicable to any area outside the limits of the city except with the previous sanction of the Government. The Commissioner may by an order, and subject to such restrictions and regulations as to supervision and inspection, as he thinks fit, grant or refuse to grant such license.

Section 366 says that the Commissioner may allow any animal to be slaughtered in such place as he thinks fit on occasions of festivals and ceremonies or as a special measure. Act clearly says no person shall slaughter within the city except in a corporation or licensed slaughter-house any cattle, horse, sheep, goat or pig for sale or food or skin or cut up any carcass without or otherwise than in conformity with a license from the Commissioner or dry or permit to be dried any skin in such a manner as to cause a nuisance.

As per section 353, No place within the limits of the city shall be used for any of the purposes mentioned in Schedule X without a license obtained from the Commissioner and except in accordance with the condition, specified therein. The Commissioner shall, if so required by the corporation, publish a notification in the Official Gazette and in two or more local newspapers that any place at a distance within five kilometers of the limits of the city shall not be used for any one or more of the purposes mentioned in Schedule X without a licence obtained from the Commissioner and except in accordance with the conditions specified therein: Provided that no such notification shall take effect, unless the sanction of the Government has been obtained therefore and until the expiry of thirty days from the date of its publication in the Official Gazette.

Section 370 says that no person shall, without the permission of the Commissioner, or if the fees have been farmed out, of the farmer, sell or expose for sale any animal or article within any public market. Any person who contravenes sub-section (1) or any condition of the license or any regulation made under section 378 or in any bye-law made under section 423 or who commits default in payment of the fees leviable under section 369 may after three clear days' notice be summarily removed from such market by any corporation officer or servant and any lease or tenure which any person may possess may be terminated for such period and from such date as the Commissioner may determine without prejudice to the legal rights of the corporation to prosecute the person or to recover the fees leviable under section 369 and expenses, if any which the corporation may incur in such removal.

In Mysore, Meat Shops requires a license.

Licensing Procedure:

Mysore City Corporation Issues license as per the provisions of Karnataka Municipal Corporation Act 1976.

As per the Karnataka Municipal Corporation Act, the owner or occupier of every place for the use of which for any purpose a license is required under the act shall apply to the Commissioner for such license not less than thirty days before the place is used for such

purpose or within thirty days of the publication of the notification under sub-section (2) in the Official Gazette, as the case may be.

Section 443 says that Every licence or permission granted under this Act or any rule or bye law made under it shall specify the period, if any, for which and the restrictions, limitations and conditions subject to which the same is granted and shall be signed by the Commissioner. Act also says that Every licence, permission, notice, bill, schedule, summons, warrant or other document which is required by this Act or by any rule, bye-law or regulation made under it to bear the signature of the Commissioner or of any corporation officer shall be deemed to be properly signed if it bears the facsimile of the signature of the Commissioner or of such corporation officer, as the case may be, stamped thereupon.

At first the applicant should apply in the Prescribed Application Form 353 and application form 354 (if Motive power is used) from the Municipal Office which costs Rs2/- each. The concerned ward Health Inspector will give the details of License fees for that particular trade and the trader has to get his signature. The filled applications along with the fees has to be submitted to the concerned ward Health Inspector. The license will be issued after inspecting the place of trade, regarding suitability of the trade.

As per the Act, an applicant for the removal of a licence or permission, or registration, shall until communication of orders on his application, be entitled to act as if the licence or permission or registration had been renewed; and save as otherwise specially provided in this Act, if orders on an application for licence or permission or for registration are not communicated to the applicant within forty five days after the receipt of the application by the Commissioner, the application shall be deemed to have been allowed for the year or for such less period as is mentioned in the application and subject to the provisions of this Act, the rules, bye-laws, regulations and all conditions ordinarily imposed.

Departments Involved:

Health department of the Corporation is the department concerned. . The authority is the concerned ward Health Inspector

Documents required for issuing license: -

1. Application Form 353.
2. Affidavit copy by stamp paper with notary seal for running the trade
3. Address proof in the owner's name.
4. Tax paid for the current year up to date with receipt copy.
5. Owner/Neighbour consent letter.
6. Any other documents, if asked for

License Fees:-

Act says that licence or permission fees shall be paid in advance as may be fixed by the corporation except in special cases provided under the Act. Provided that not more than one fee shall be levied in respect of any purpose specified in more heads than one of Schedule X if such heads form part of a continuous process of manufacture and the fee so charged shall not exceed the highest fee chargeable in respect of any one of the said purposes.

As reported by the intern, at present the fees is Rs.900/- and Rs.750/- will be charged depending on the size. The acceptance by the corporation of the pre-payment of the fee for a licence or permission or for registration shall not entitle the person making such pre-payment to the licence or permission or to registration, as the case may be, but only to refund of the fee in case of refusal of the licence or permission or of registration.

Processing:

License will be issued from 1st April to 31st March of each and every year. Normally it will take 8 to 10 days. In case if documents are incomplete and incorrect it may take more time.

Refusal, suspension and Cancellation:

As per the Act, Every order of the Commissioner or other municipal authority granting or refusing a licence or permission shall be published on the notice board of the corporation if an application is denied by the commissioner, then the trader may appeal to standing committee (health) by producing the denied letter.

Notwithstanding anything contained in this Act, any licence or permission granted under this Act or any rule or bye-law made under it, may at any time be suspended or revoked by the Commissioner, if any of its restrictions or conditions is evaded or infringed by the grantee or if the grantee is convicted of a breach of any of the provisions of this Act or of any rule, bye-law or regulation made under it, in any matter to which such licence or permission relates, or if the grantee has obtained the same by misrepresentation or fraud.

When any licence or permission is suspended or revoked or when the period for which it was granted or within which application for renewal should be made has expired, the grantee shall for all purposes of this Act, or any rule or bye-law made under it be deemed to be without licence or permission made until the order suspending or revoking the licence or permission is cancelled or subject to sub-section (10) until the licence or permission is renewed, as the case may be.

Inspection:

As per the act, every grantee of any licence or permission, shall at all reasonable times while such licence or permission remains in force, produce the same at the request of the Commissioner.

It shall be the duty of the Commissioner to inspect places in respect of which a licence or permission is required by or under this Act, and he may enter any such place between sunrise and sunset, and also between sunset and sunrise if it is open to the public or any industry is being carried on at the time, and if he has reason to believe that anything is being done in any place without a licence or permission, where the same is required by or under this Act, or otherwise than in conformity with the same, he may at any time by day or night without notice enter such place for the purpose of satisfying himself whether any provision of law, rules, bye-laws, regulations, any condition of a licence or permission or any lawful direction or prohibition is being contravened and no claim shall lie against any person for any damage or inconvenience necessarily caused by the exercise of powers under this sub-section by the Commissioner or any person to whom he has lawfully delegated his powers or by the use of any force necessary for effecting an entrance under this sub-section.

License Renewal:

Renewal period is from January 1st to March 31st of every year. As per the Act, Every license shall expire at the end of the year for which it is granted, or at such earlier date as the Commissioner may, for special reasons, specify in the license. Applications for renewal of such licenses shall be made not less than thirty days before the commencement of the year for which renewal is sought. The license may be renewed to such conditions or the Commissioner may specify restrictions as or he may refuse to renew if it is likely to cause nuisance in the neighbourhood. Where a license is granted under this section for the use of any place outside the limits of the city, the corporation shall pay to the local authority within the limits of which such place is situated, such proportion of the fee received by the corporation for the grant or renewal of such license as the Government may, by general or special order, determine.

As per the Regulations of corporations, the license issued will be having validity for 1 year. For the renewal of license, every person has to pay the stipulated fees according to the last year basis on or before 29th February each and every year. After then only the license is renewed for future years and handover to us. Meantime we have to surrender the old license to City Corporation Office.

Applications for renewal of such licenses shall be made not less than 30 days before the commencement of the year for which renewal is sought. Delayed renewal will attract of 50% license fees. If trade License has expired three months back, then the trader have to Pay the renewal fees with 50% fine. If license has expired more than a year back, the due fee along with fine, the present year fee has to be paid.

Renewal Fees:

Fees are same as that of fresh license.

Documents Required for Renewal:

1. Original License copy.
2. Previous year fees challans.
3. Up to date tax paid receipt.

Timings:

As per the Karnataka shops and Establishment Act 1961, no employee in any establishment shall be required to work for more than nine hours on a day and forty- eight hours in a week.

Punishment:

As per the Karnataka Municipal Corporation Act, running an unauthorized Trade is offence. The concerned authority may seize or lock your Trade business with or without intimation.

Whenever any person is convicted of an offence in respect of the failure to obtain a licence or permission or to make registration required by the provisions of this Act, or by any rule or bye-law made under this Act, the magistrate shall, in addition to any fine which may be imposed, recover summarily and pay over to the corporation the amount of the fee chargeable for the

licence or permission or for registration and may in his discretion also recover summarily and pay over to the corporation such amount, if any, as he may fix as the costs of the prosecution. Such recovery of the fee shall not by itself entitle the person convicted to a licence or permission or to registration as aforesaid.

As per the act, using any place mentioned in the schedule without a license or in contrary of a license will charge a penalty of Rs.200. Running slaughter houses without or contrary of license will charge Rs.50/- The sale of meat in market without license will also charge Rs.50/-

IV.Barber Shop:

Barber Shops are regulated as per the directions of Karnataka Municipal Corporation Act 1976 where as the directions for timings for operation are fixed by the Karnataka Shops and Commercial Establishment Act 1961.

As per section 353, No place within the limits of the city shall be used for any of the purposes mentioned in Schedule X without a license obtained from the Commissioner and except in accordance with the condition, specified therein. The Commissioner shall, if so required by the corporation, publish a notification in the Official Gazette and in two or more local newspapers that any place at a distance within five kilometers of the limits of the city shall not be used for any one or more of the purposes mentioned in Schedule X without a license obtained from the Commissioner and except in accordance with the conditions specified therein: Provided that no such notification shall take effect, unless the sanction of the Government has been obtained therefore and until the expiry of thirty days from the date of its publication in the Official Gazette.

Section 370 says that no person shall, without the permission of the Commissioner, or if the fees have been farmed out, of the farmer, sell or expose for sale any animal or article within any public market. Any person who contravenes sub-section (1) or any condition of the license or any regulation made under section 378 or in any bye-law made under section 423 or who commits default in payment of the fees leviable under section 369 may after three clear days' notice be summarily removed from such market by any corporation officer or servant and any lease or tenure which any person may possess may be terminated for such period and from such date as the Commissioner may determine with-out prejudice to the legal rights of the corporation to prosecute the person or to recover the fees leviable under section 369 and expenses, if any which the corporation may incur in such removal.

In Mysore, Barber shops require a license.

Licensing Procedure:

Mysore City Corporation issues license as per the provisions of Karnataka Municipal Corporation Act 1976.

As per the Karnataka Municipal Corporation Act, The owner or occupier of every place for the use of which for any purpose a license is required under the act shall apply to the Commissioner for such license not less than thirty days before the place is used for such purpose or within thirty days of the publication of the notification under sub-section (2) in the Official Gazette, as the case may be.

Section 443 says that Every licence or permission granted under this Act or any rule or bye law made under it shall specify the period, if any, for which and the restrictions, limitations and conditions subject to which the same is granted and shall be signed by the Commissioner. Act also says that Every licence, permission, notice, bill, schedule, summons, warrant or other document which is required by this Act or by any rule, bye-law or regulation made under it to bear the signature of the Commissioner or of any corporation officer shall be deemed to be properly signed if it bears the facsimile of the signature of the Commissioner or of such corporation officer, as the case may be, stamped thereupon.

At first the applicant should apply in the Prescribed Application Form 353 and Application form 354 (if Motive power is used) from the Municipal Office which costs Rs.2/- each. The concerned ward Health Inspector will give the details of License fees for that particular trade and the trader has to get his signature. The filled applications along with the fees has to be submitted to the concerned ward Health Inspector. The license will be issued after inspecting the place of trade, regarding suitability of the trade.

As per the Act, an applicant for the removal of a licence or permission, or registration, shall until communication of orders on his application, be entitled to act as if the licence or permission or registration had been renewed; and save as otherwise specially provided in this Act, if orders on an application for licence or permission or for registration are not communicated to the applicant within forty five days after the receipt of the application by the Commissioner, the application shall be deemed to have been allowed for the year or for such less period as is mentioned in the application and subject to the provisions of this Act, the rules, bye-laws, regulations and all conditions ordinarily imposed.

Departments Involved:

As reported by the intern, city corporation office, Professional Tax office and service tax office is involved.

Documents required for issuing license: -

1. Application Form 353.
2. Affidavit copy by stamp paper with notary seal for running the trade
3. Address proof in the owner's name.
4. Tax paid for the current year up to date with receipt copy.
5. Owner/Neighbour consent letter.
6. Service tax and professional tax must also be paid.
7. Any other documents, if asked for

License Fees:-

Act says that licence or permission fees shall be paid in advance as may be fixed by the corporation except in special cases provided under the Act. Provided that not more than one fee shall be levied in respect of any purpose specified in more heads than one of Schedule X if such heads form part of a continuous process of manufacture and the fee so charged shall not exceed the highest fee chargeable in respect of any one of the said purposes.

As reported by the intern, at present the fees generally for trade license is Rs.300/- for urban areas and Rs.500/- for city limits. In addition the Rs.500/- for 6 chair, Rs.300/- for 4 chair and Rs.150/- for 2 chairs.

The acceptance by the corporation of the pre-payment of the fee for a licence or permission or for registration shall not entitle the person making such pre-payment to the licence or permission or to registration, as the case may be, but only to refund of the fee in case of refusal of the licence or permission or of registration.

Processing:

License will be issued from 1st April to 31st March of each and every year. Normally it will take 8 to 10 days. In case if documents are incomplete and incorrect it may take more time.

Refusal, suspension and Cancellation:

As per the Act, Every order of the Commissioner or other municipal authority granting or refusing a licence or permission shall be published on the notice board of the corporation. If an application is denied by the commissioner, then the trader may appeal to standing committee (health) by producing the denied letter.

Notwithstanding anything contained in this Act, any licence or permission granted under this Act or any rule or bye-law made under it, may at any time be suspended or revoked by the Commissioner, if any of its restrictions or conditions is evaded or infringed by the grantee or if the grantee is convicted of a breach of any of the provisions of this Act or of any rule, bye-law or regulation made under it, in any matter to which such licence or permission relates, or if the grantee has obtained the same by misrepresentation or fraud.

When any licence or permission is suspended or revoked or when the period for which it was granted or within which application for renewal should be made has expired, the grantee shall for all purposes of this Act, or any rule or bye-law made under it be deemed to be without licence or permission made until the order suspending or revoking the licence or permission is cancelled or subject to sub-section (10) until the licence or permission is renewed, as the case may be.

Inspection:

As per the act, every grantee of any licence or permission, shall at all reasonable times while such licence or permission remains in force, produce the same at the request of the Commissioner.

It shall be the duty of the Commissioner to inspect places in respect of which a licence or permission is required by or under this Act, and he may enter any such place between sunrise and sunset, and also between sunset and sunrise if it is open to the public or any industry is being carried on at the time, and if he has reason to believe that anything is being done in any place without a licence or permission, where the same is required by or under this Act, or otherwise than in conformity with the same, he may at any time by day or night without notice enter such place for the purpose of satisfying himself whether any provision of law, rules, bye-laws, regulations, any condition of a licence or permission or any lawful direction or prohibition is being contravened and no claim shall lie against any person for any damage or inconvenience necessarily caused by the exercise of powers under this sub-section by the Commissioner or any person to whom he has lawfully delegated his powers or by the use of any force necessary for effecting an entrance under this sub-section

License Renewal

Renewal period is from January 1st to March 31st of every year. As per the Act, Every license shall expire at the end of the year for which it is granted, or at such earlier date as the Commissioner may, for special reasons, specify in the license. Applications for renewal of such licenses shall be made not less than thirty days before the commencement of the year for which renewal is sought. The license may be renewed to such conditions or the Commissioner may specify restrictions as or he may refuse to renew if it is likely to cause nuisance in the neighbourhood. Where a license is granted under this section for the use of any place outside the limits of the city, the corporation shall pay to the local authority within the limits of which such place is situated, such proportion of the fee received by the corporation for the grant or renewal of such license as the Government may, by general or special order, determine.

As per the Regulations of corporations, the license issued will be having validity for 1 year. For the renewal of license, every person have to pay the stipulated fees according to the last year basis on or before 29th February each and every year. After then only the license is renewed for future years and handover to us. Meantime we have to surrender the old license to City Corporation Office.

Applications for renewal of such licenses shall be made not less than 30 days before the commencement of the year for which renewal is sought. Delayed renewal will attract of 50% license fees. If trade License has expired three months back, then the trader have to pay the renewal fees with 50% fine. If license has expired more than a year back, the due fee along with fine, the present year fee has to be paid.

Renewal Fees:

Fees are same as that of fresh license.

Documents Required for Renewal:

1. Original License copy.
2. Previous year fees challans.
3. Up to date tax paid receipt.

Timings:

As per the Karnataka shops and Establishment Act 1961, no employee in any establishment shall be required to work for more than nine hours on a day and forty- eight hours in a week.

Punishment:

As per the Karnataka Municipal Corporation Act, running an unauthorized Trade is offence. The concerned authority may seize or lock your Trade business with or without intimation.

Whenever any person is convicted of an offence in respect of the failure to obtain a licence or permission or to make registration required by the provisions of this Act, or by any rule or bye-law made under this Act, the magistrate shall, in addition to any fine which may be imposed, recover summarily and pay over to the corporation the amount of the fee chargeable for the

licence or permission or for registration and may in his discretion also recover summarily and pay over to the corporation such amount, if any, as he may fix as the costs of the prosecution. Such recovery of the fee shall not by itself entitle the person convicted to a licence or permission or to registration as aforesaid.

As per the act, using any place mentioned in the schedule without a license or in contrary of a license will charge a penalty of Rs.200

V.Meat Shops:

Meat Shops are regulated as per the directions of Karnataka Municipal Corporation Act 1976 where as the directions for timings for operation are fixed by the Karnataka Shops and Commercial Establishment Act 1961. Provisions of Prevention of Food Adulteration Act are also applicable to food related items.

As per section 364, the corporation shall provide a sufficient number of places for use as corporation slaughter-houses and the Commissioner may charge and levy such rents and fees for their use as the standing committee may determine, such rents and fees shall be recoverable in the same manner as the property tax. The Commissioner may farm out the collection of such rents and fees for any period not exceeding three years at a time on such terms and conditions as he may think fit.

Act also says that the Corporation slaughter-houses may be situated within the city limits or outside the limits of the city with the sanction of the Government. The owner of any place within the limits of the city or at a distance within five kilometers of such limits which is used as a slaughter house for the slaughtering of animals or for the skinning or cutting up of carcasses shall, not less than thirty days before the commencement of the year for which the license is sought or in the case of a place to be newly opened, not less than one month before the opening of the same, apply to the Commissioner for a license. Provided that this sub-section shall not be applicable to any area outside the limits of the city except with the previous sanction of the Government. The Commissioner may by an order, and subject to such restrictions and regulations as to supervision and inspection, as he thinks fit, grant or refuse to grant such license.

Section 366 says that the Commissioner may allow any animal to be slaughtered in such place as he thinks fit on occasions of festivals and ceremonies or as a special measure. Act clearly says no person shall slaughter within the city except in a corporation or licensed slaughter-house any cattle, horse, sheep, goat or pig for sale or food or skin or cut up any carcass without or otherwise than in conformity with a license from the Commissioner or dry or permit to be dried any skin in such a manner as to cause a nuisance.

As per section 353, No place within the limits of the city shall be used for any of the purposes mentioned in Schedule X without a license obtained from the Commissioner and except in accordance with the condition, specified therein. The Commissioner shall, if so required by the corporation, publish a notification in the Official Gazette and in two or more local newspapers that any place at a distance within five kilometers of the limits of the city shall not be used for any one or more of the purposes mentioned in Schedule X without a license obtained from the Commissioner and except in accordance with the conditions specified therein: Provided no such notification shall take effect, unless the sanction of the Government has been obtained therefore and until the expiry of thirty days from the date of its publication in the Official Gazette.

Section 370 says that no person shall, without the permission of the Commissioner, or if the fees have been farmed out, of the farmer, sell or expose for sale any animal or article within any public market. Any person who contravenes sub-section (1) or any condition of the license or any regulation made under section 378 or in any bye-law made under section 423 or who commits default in payment of the fees leviable under section 369 may after three clear days' notice be summarily removed from such market by any corporation officer or servant and any lease or tenure which any person may possess may be terminated for such period and from such date as the Commissioner may determine without prejudice to the legal rights of the corporation to prosecute the person or to recover the fees leviable under section 369 and expenses, if any which the corporation may incur in such removal.

In Mysore, Meat Shops requires a license.

Licensing Procedure:

Mysore City Corporation Issues license as per the provisions of Karnataka Municipal Corporation Act 1976.

As per the Karnataka Municipal Corporation Act, the owner or occupier of every place for the use of which for any purpose a license is required under the act shall apply to the Commissioner for such license not less than thirty days before the place is used for such purpose or within thirty days of the publication of the notification under sub-section (2) in the Official Gazette, as the case may be.

Section 443 says that Every licence or permission granted under this Act or any rule or bye law made under it shall specify the period, if any, for which and the restrictions, limitations and conditions subject to which the same is granted and shall be signed by the Commissioner. Act also says that Every licence, permission, notice, bill, schedule, summons, warrant or other document which is required by this Act or by any rule, bye-law or regulation made under it to bear the signature of the Commissioner or of any corporation officer shall be deemed to be properly signed if it bears the facsimile of the signature of the Commissioner or of such corporation officer, as the case may be, stamped thereupon.

At first the applicant should apply in the Prescribed Application Form 353 and application form 354 (if Motive power is used) from the Municipal Office which costs Rs.2/- each. The concerned ward Health Inspector will give the details of License fees for that particular trade and the trader has to get his signature. The filled applications along with the fees has to be submitted to the concerned ward Health Inspector. The license will be issued after inspecting the place of trade, regarding suitability of the trade.

As per the Act, an applicant for the removal of a licence or permission, or registration, shall until communication of orders on his application, be entitled to act as if the licence or permission or registration had been renewed; and save as otherwise specially provided in this Act, if orders on an application for licence or permission or for registration are not communicated to the applicant within forty five days after the receipt of the application by the Commissioner, the application shall be deemed to have been allowed for the year or for such less period as is mentioned in the application and subject to the provisions of this Act, the rules, bye-laws, regulations and all conditions ordinarily imposed.

Departments Involved:

Health department of the Corporation is the department concerned. The authority is the concerned ward Health Inspector

Documents required for issuing license: -

1. Application Form 353.
2. Affidavit copy by stamp paper with notary seal for running the trade
3. Address proof in the owner's name.
4. Tax paid for the current year up to date with receipt copy.
5. Owner/Neighbour consent letter.
6. Any other documents, if asked for

License Fees:-

Act says that licence or permission fees shall be paid in advance as may be fixed by the corporation except in special cases provided under the Act. Provided that not more than one fee shall be levied in respect of any purpose specified in more heads than one of Schedule X if such heads form part of a continuous process of manufacture and the fee so charged shall not exceed the highest fee chargeable in respect of any one of the said purposes.

As reported by the intern, at present the fees is Rs.900/- and Rs.750/- will be charged depending on the size. The acceptance by the corporation of the pre-payment of the fee for a licence or permission or for registration shall not entitle the person making such pre-payment to the licence or permission or to registration, as the case may be, but only to refund of the fee in case of refusal of the licence or permission or of registration.

Processing:

License will be issued from 1st April to 31st March of each and every year. Normally it will take 8 to 10 days. In case if documents are incomplete and incorrect it may take more time.

Refusal, suspension and Cancellation:

As per the Act, Every order of the Commissioner or other municipal authority granting or refusing a licence or permission shall be published on the notice board of the corporation if an application is denied by the commissioner, and then the trader may appeal to standing committee (health) by producing the denied letter.

Notwithstanding anything contained in this Act, any licence or permission granted under this Act or any rule or bye-law made under it, may at any time be suspended or revoked by the Commissioner, if any of its restrictions or conditions is evaded or infringed by the grantee or if the grantee is convicted of a breach of any of the provisions of this Act or of any rule, bye-law or regulation made under it, in any matter to which such licence or permission relates, or if the grantee has obtained the same by misrepresentation or fraud.

When any licence or permission is suspended or revoked or when the period for which it was granted or within which application for renewal should be made has expired, the grantee shall for all purposes of this Act, or any rule or bye-law made under it be deemed to be

without licence or permission made until the order suspending or revoking the licence or permission is cancelled or subject to sub-section (10) until the licence or permission is renewed, as the case may be.

Inspection:

As per the act, every grantee of any licence or permission, shall at all reasonable times while such licence or permission remains in force, produce the same at the request of the Commissioner.

It shall be the duty of the Commissioner to inspect places in respect of which a licence or permission is required by or under this Act, and he may enter any such place between sunrise and sunset, and also between sunset and sunrise if it is open to the public or any industry is being carried on at the time, and if he has reason to believe that anything is being done in any place without a licence or permission, where the same is required by or under this Act, or otherwise than in conformity with the same, he may at any time by day or night without notice enter such place for the purpose of satisfying himself whether any provision of law, rules, bye-laws, regulations, any condition of a licence or permission or any lawful direction or prohibition is being contravened and no claim shall lie against any person for any damage or inconvenience necessarily caused by the exercise of powers under this sub-section by the Commissioner or any person to whom he has lawfully delegated his powers or by the use of any force necessary for effecting an entrance under this sub-section.

License Renewal:

Renewal period is from January 1st to March 31st of every year.

As per the Act, Every license shall expire at the end of the year for which it is granted, or at such earlier date as the Commissioner may, for special reasons, specify in the license. Applications for renewal of such licenses shall be made not less than thirty days before the commencement of the year for which renewal is sought. The license may be renewed to such conditions or the Commissioner may specify restrictions as or he may refuse to renew if it is likely to cause nuisance in the neighbourhood. Where a license is granted under this section for the use of any place outside the limits of the city, the corporation shall pay to the local authority within the limits of which such place is situated, such proportion of the fee received by the corporation for the grant or renewal of such license as the Government may, by general or special order, determine.

As per the Regulations of corporations, the license issued will be having validity for 1 year. For the renewal of license, every person has to pay the stipulated fees according to the last year basis on or before 29th February each and every year. After then only the license is renewed for future years and handover to us. Meantime we have to surrender the old license to City Corporation Office.

Applications for renewal of such licenses shall be made not less than 30 days before the commencement of the year for which renewal is sought. Delayed renewal will attract of 50% license fees. If trade License has expired three months back, then the trader have to Pay the renewal fees with 50% fine. If license has expired more than a year back, the due fee along with fine, the present year fee has to be paid.

Renewal Fees:

Fees is same as that of fresh license.

Documents Required for Renewal:

1. Original License copy.
2. Previous year fees challans.
3. Up to date tax paid receipt.

Timings:

As per the Karnataka shops and Establishment Act 1961, no employee in any establishment shall be required to work for more than nine hours on a day and forty- eight hours in a week.

Punishment:

As per the Karnataka Municipal Corporation Act, running an unauthorized Trade is offence. The concerned authority may seize or lock your Trade business with or without intimation.

Whenever any person is convicted of an offence in respect of the failure to obtain a licence or permission or to make registration required by the provisions of this Act, or by any rule or bye-law made under this Act, the magistrate shall, in addition to any fine which may be imposed, recover summarily and pay over to the corporation the amount of the fee chargeable for the licence or permission or for registration and may in his discretion also recover summarily and pay over to the corporation such amount, if any, as he may fix as the costs of the prosecution. Such recovery of the fee shall not by itself entitle the person convicted to a licence or permission or to registration as aforesaid.

As per the act, using any place mentioned in the schedule without a license or in contrary of a license will charge a penalty of Rs.200. Running slaughter houses without or contrary of license will charge Rs.50/- The sale of meat in market without license will also charge Rs.50/-

FINDINGS FROM THE STUDY**General Findings:**

1. Mysore Municipal Corporation is functioning under the provisions of Karnataka Municipal Corporation Act, 1949.Prevention of food Adulteration Act 1954 has a major say in food related items. The Karnataka Shops and Commercial Establishment Act 1961 prescribes timing for operation where as motor vehicles are regulated By Karnataka Motor Vehicle Rules 1989 and Motor vehicles Act 1988.
2. The trade license is a legal requirement as per Karnataka Municipal Corporation Act 1976for running a trade or business without a trade license.
3. The different categories are:

4. All eating establishments like Hotels, Restaurants, Refreshments, Dharshinies, Sale of Coffee and Tea , Lodging Houses, Bakeries, Sweet meat stall , Sale of Mutton, Beef, Fish , Pork and Chicken and Provision stores.
5. All trades which use motive power to run and to manufacture like, Industries, Factories, Workshops , Power looms , Flour Mills etc.
6. Offensive and dangerous trades like, charcoal depot , sale of firewood , timber wood , dry clean shops , Dhobi shops , Beauty parlour , Barbershop , Sale of edible oil, storage of ammunitions ,breweries, manufacture camphor and candles.
7. As per section 353, No place within the limits of the city shall be used for any of the purposes mentioned in Schedule X without a licence obtained from the Commissioner and except in accordance with the condition, specified therein.
8. Section 370 says that no person shall, without the permission of the Commissioner can sell or expose for sale any animal or article within any public market. Any person who contravenes sub-section (1) or any condition of the license or any regulation made under section 378 or in any bye-law made under section 423 or who commits default in payment of the fees leviable under section 369 may after three clear days' notice be summarily removed form such market
9. As per the Karnataka Municipal Corporation Act, The owner or occupier of every place for the use of which for any purpose a licence is required under the act shall apply to the Commissioner for such licence not less than thirty days before the place is used for such purpose or within thirty days of the publication of the notification under sub-section (2) in the Official Gazette, as the case may be.
10. Section 443 says that Every licence or permission granted under this Act or any rule or bye law made under it shall specify the period, restrictions, limitations and conditions subject to which the same is granted and shall be signed by the Commissioner. Act also says that Every license should bear the signature of the Commissioner or of any corporation officer
11. As per the Act, an applicant for the removal of a licence or permission, or registration, shall until communication of orders on his application, be entitled to act as if the licence or permission or registration had been renewed; and save as otherwise specially provided in this Act, if orders on an application for licence or permission or for registration are not communicated to the applicant within forty five days after the receipt of the application by the Commissioner, the application shall be deemed to have been allowed for the year or for such less period as is mentioned in the application and subject to the provisions of this Act, the rules, bye-laws, regulations and all conditions ordinarily imposed.
12. Health department of the Corporation is the department concerned. . The authority is the concerned ward Health Inspector
13. Application Form, Affidavit copy for the proof of trade by stamp paper with notary seal for running the trade, Address proof in the owner's name, Tax paid for the current year up to date with receipt copy, Owner/Neighbour consent letter, Rent agreement copy if rented premise are required for license.
14. As per the Act, Every order of the Commissioner or other municipal authority granting or refusing a licence or permission shall be published on the notice board of the corporation If an application is denied by the commissioner, then the trader may appeal to standing committee (health) by producing the denied letter.
15. Notwithstanding anything contained in this Act, any licence or permission granted under this Act or any rule or bye-law made under it, may at any time be suspended or revoked by the Commissioner, if any of its restrictions or conditions is evaded or infringed by the grantee or if the grantee is convicted of a breach of any of the provisions of this Act or of any rule, bye-law or regulation made under it, in any

- matter to which such licence or permission relates, or if the grantee has obtained the same by misrepresentation or fraud.
16. As per the act, Every grantee of any licence or permission, shall at all reasonable times while such licence or permission remains in force, produce the same at the request of the Commissioner.
 17. It shall be the duty of the Commissioner to inspect places and he may enter any such place between sunrise and sunset, and also between sunset and sunrise if it is open to the public or any industry is being carried on at the time, and if he has reason to believe that anything is being done in any place without a licence or permission, where the same is required by or under this Act, or otherwise than in conformity with the same, he may at any time by day or night without notice enter such place for the purpose of satisfying himself whether any provision of law, rules, bye-laws, regulations, any condition of a licence or permission or any lawful direction or prohibition is being contravened and no claim shall lie against any person for any damage or inconvenience necessarily caused by the exercise of powers under this sub-section by the Commissioner or any person to whom he has lawfully delegated his powers or by the use of any force necessary for effecting an entrance under this sub-section.
 18. Renewal period is from January 1st to March 31st of every year.
 19. As per the Act, Every license shall expire at the end of the year for which it is granted, or at such earlier date as the Commissioner may, for special reasons, specify in the license. Applications for renewal of such licenses shall be made not less than thirty days before the commencement of the year for which renewal is sought
 20. Original License copy, Previous year fees challans and Up to date tax paid receipt etc is needed for renewal.
 21. As per the Karnataka shops and Establishment Act 1961, no employee in any establishment shall be required to work for more than nine hours on a day and forty- eight hours in a week.

Dhabas, Vegetable vendors, Barber Shops:

1. As per section 343 of Karnataka Municipal Corporation Act 1976, No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner keep any eating house .The Commissioner may at any time cancel or suspend any license granted if he is of opinion that the premises covered thereby are not kept in conformity with the conditions of such license or with the provisions of any bye-law made under section 423 relating to such premises whether or not the licensee is prosecuted under this Act.
2. Vegetable Vendors does not Requires License as per schedule

Meat Shop:

1. Meat Shops are regulated as per the directions of Karnataka Municipal Corporation Act 1976 where as the directions for timings for operation are fixed by the Karnataka Shops and Commercial Establishment Act 1961 . Provisions of Prevention of Food Adulteration Act are also applicable to food related items.
2. As per section 364, the corporation shall provide a sufficient number of places for use as corporation slaughter-houses and the Commissioner may charge and levy such rents and fees for their use as the standing committee may determine, Such

rents and fees shall be recoverable in the same manner as the property tax. The Commissioner may farm out the collection of such rents and fees for any period not exceeding three years at a time on such terms and conditions as he may think fit.

3. Act also says that the Corporation slaughter-houses may be situated within the city limits or outside the limits of the city with the sanction of the Government. The owner of any place within the limits of the city or at a distance within five kilometers of such limits which is used as a slaughter house for the slaughtering of animals or for the skinning or cutting up of carcasses shall, not less than thirty days before the commencement of the year for which the licence is sought or in the case of a place to be newly opened, not less than one month before the opening of the same, apply to the Commissioner for a license. Provided that this sub-section shall not be applicable to any area outside the limits of the city except with the previous sanction of the Government. The Commissioner may by an order, and subject to such restrictions and regulations as to supervision and inspection, as he thinks fit, grant or refuse to grant such license.
4. Section 366 says that the Commissioner may allow any animal to be slaughtered in such place as he thinks fit on occasions of festivals and ceremonies or as a special measure. Act clearly says no person shall slaughter within the city except in a corporation or licensed slaughter-house any cattle, horse, sheep, goat or pig for sale or food or skin or cut up any carcass without or otherwise than in conformity with a license from the Commissioner or dry or permit to be dried any skin in such a manner as to cause a nuisance.

Auto Rickshaw:

1. As per Section 66 of Motor Vehicles Act, 1988, permit is necessary.
2. The Regional Transport office issues the permits and number plates will be given in yellow plate with black letters.
3. Temporary Permits and Special Permits will be issued for a limited period for the conveyance of passengers on special occasion such as Fairs, Religious Gatherings, Seasonal Business, Temporary need or pending decision of renewal of permit. Operating a vehicle without permit attracts hefty fine including conviction.
4. License is needed for a driver whereas permit is need for a vehicle.
5. A taximeter is to be attached with the vehicle.
6. The Transport Officials are the regulatory authorities for the implementation of Motor Vehicles Act. Regional transport Authority or the secretary of regional transport Authority deals with the issue of permits.
7. Permits are issued for the vehicle but license is issued to a person to drive a particular type of vehicle
8. An amount of Rs.2000/- will be collected as Compounding fees for vehicles without Permit. Transport Vehicles plying without Permit will be ceased and detained.
9. Conditions Of Permit is as per the section 74 of the Motor Vehicles Act 1988.The contract carriages should ply in the route or area for which the permit has been issued .The permit is subject to all rules relating to permits under the Motor Vehicles Act, 1988 and in force for the time being.
10. Auto Rickshaw can travel with passengers within 15 kilometres only in city limit.
11. Auto Rickshaw can pick up 3 personas only by travelling
12. Uniform (Khaki) and black shoes is necessary
13. Auto rickshaw must bear the token number and Badge issued by the Transport department and Local Auto Committees