

RULES AND REGULATIONS GOVERNING THE LICENSING OF MEAT SHOPS IN NAGPUR

State: Maharashtra

Details of licensing are as follows:

Meat Shops are regulated as per the directions of the City of Nagpur Corporation act 1948 and Prevention of Food Adulteration Act 1954 where as the directions for timings for operation are fixed by the Bombay Shops and establishments Act 1948.

As per the section 348 of the City of Nagpur Corporation Act, 1948 the commissioner's permission in writing is necessary for the prescribed items specified under Act. Application for license shall be addressed to the commissioner. The license shall specify the date of the grant, purpose and the period of grant, restrictions and conditions, name of the person to whom it is granted and the fees paid.

The licensee is bound to produce the license when the commissioner or any authorized officer requires it. Any license granted can be suspended or revoked at any time on the violation of the provisions of Act, rules, bye laws or conditions of license.

Except in the cases falling under the provisions of section 227 and 229, the applicant can act as if the license is granted for the year as mentioned in the application if he did not get any orders of the commissioner within six weeks from the date of the receipt of his application for a license or permission which complies with the provisions of the fore-going sub-sections.

As per section, 236 and 240 of the City of Nagpur Corporation Act, 1948, no person without a license from the commissioner shall sell or expose for sale any animal, or any meat or fish intended for human food in any place other than a corporation or a licensed market. Nothing in this sub- section shall apply to meat or fish sold in any hotel or eating houses.

As per section, 238 of the City of Nagpur Corporation Act, 1948 the corporation may and when required by the State Government shall fix places with the approval of the state Government either within or without the limits of the city, for the slaughter of animals or of any specified description of animals, for sale, and may with the like approval grant and withdraw the licenses for the use of premises. The corporation may charge rent or fees for the use of premises if they belong to the corporation. When the corporation beyond municipal limits fixes such places, it shall have the same power to make byelaws for inspection and proper regulation for the same if they were within those limits. No other places can be used for slaughter any animal for sale within the city when corporation has fixed any premises for that. Any person who slaughters for sale any animal at any place within the city other than the fixed premise by the corporation shall be punishable with fine which may extend to Rs. 20

Section 248 says that the commissioner/ any authorized officer have the power to enter and inspect any market, shop, stall or place used for the sale of any animal, food drink etc intended for human consumption. The act also gives power to the commissioner to inspect and examine any animal or article used for preparing or manufacturing or containing the

same. The commissioner can seize and remove the animal or article which has appeared as diseased, unsound, unwholesome, adulterated or unfit for human consumption. The officer can also keep the same in the safe custody as commissioner directs in order and no person shall remove it while it is so detained.

Licensing Procedure:

For getting a license, one has to obtain the form for trade license from any of the range offices or citizen centre and submit it in the corporation with necessary documents. He also needs property owner's consent in plain paper. The owner has to file a copy of latest property tax paid receipt in proof of ownership Demand draft has to be paid towards the license fee payable for the trade If applicant needs power she /he need to apply for power license. Separate fees will be chargeable for that.

Documents required for issuing license: -

1. Filled application Form
2. Copy of the latest property tax paid receipt in proof of ownership
3. Occupation place design - three blue print with measurements plan
4. Separate demand draft if power is needed
5. Fire brigade- non objection certificate
6. Commercial tap connection

License Fees: -

Sl.No.	Item	Fresh fee
1	Private Birch, Pork, Mutton	Rs.650
2	Private Fish Shop	Rs.400
3	Corporation Birch, Pork, Mutton	Rs.200

Inspection:

As per the section 337 of the act, it shall be the duty of the commissioner to make provision for the constant and vigilant inspection of animals, carcasses, meat flesh, fish, fruit, vegetables etc and any other articles exposed or hawked about for sale or deposited in or brought to in any place for the purpose of sale and intended for human consumption, the proof that the article was not intended for human food with the party charged.

The commissioner can seize and carry away any article if any animal or article appears to the commissioner to be diseased or unsound or unwholesome or unfit for human consumption or is not up to the quality represented.

The license Inspector will make a 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.

License Renewal

The License issued expires on every five year. One need to apply for every five years and there after one has to renew the license. April to March is the time for renewal. For renewal of license, renewal application form can be purchased from the corporation. Procedures are the same as that of new license. The license shall remain in force for five years from the date of issue till the 31 days of March of the fifth year. The license must be renewed in the month of April and in case of starting the new business in the midst of the year thirty days earlier of the commencement of business. Those who have not renew the license after Six months of the expiry have to pay Rs.150 per month as penalty.

Renewal Fees:

Sl. No.	Item	Renewal Fee	Late fee per mounts
1	Private Birch, Pork, Mutton	Rs.650	Rs.325
2	Private Fish Shop	Rs.400	Rs.200
3	Corporation Birch, Pork, Mutton	Rs.200	Rs.100

If the license is not renewed after six months of the expiry date, then the above rate per month will be charged as penalty.

Documents Required for Renewal:

1. Filled Renewal application Form
2. Copy of the latest property tax paid receipt in proof of ownership

Prohibition of Hawking:

As per the Section 12 of Bombay Shops and Establishments Act 1948, no person shall Hawk or sell any goods in or adjacent to a street or a public place before the opening and after the closing hours fixed under sections 10 & 11. Any person contravening the provisions shall be liable to have his goods seized by an Inspector. The goods seized shall be returned to the person from whom they were seized when he deposit Rs.25 as security for his appearance in the Court. If a person fails to make the deposits, the goods seized shall be produced without delay before Magistrate who gives such directions as to their temporary custody as he thinks fit where no prosecution is instituted for the contravention of the provisions of sub-section (1) (which prohibits the hawking) within such period as the Magistrate may fix in this behalf, the Magistrate shall direct their return to the person from whom they were seized. Subject to the provisions of the preceding sub-section, the provisions of the Code of Criminal Procedure, 1898, (V of 1898) shall so far as they may be applicable, apply to the disposal of the goods seized under this section.

Timings:

As per the Bombay Shops and establishments Act 1948, no shops dealing wholly with vegetables, fruits, meats etc or any other goods notified by the State Government shall not on any day be opened earlier than 5 am and no shops other than those clause b of

Subsection (1) (trades dealing with pan bidi, cigarettes, matches and other ancillary articles) can be closed later than 8.30.p.m. Provided that any customer waiting must be served during the quarter of an hour immediately following such hour.

No person shall carry on or in adjacent to a street or any public place the sale of any goods before the opening and after the closing hours fixed. Any person contravening the section shall be liable to have his good seized by an Inspector. If a person fails to produce the goods then it shall be produced without delay before a magistrate. No person shall be allowed or required to work in any shop or commercial establishment for more than nine hours in a day and more than forty- eight hours in any week.

Penalty:

Section 236 says that the sale of animals, meat etc outside the market with out the license will result in a fine of Rs.100 and Rs.10 per day for the continuity of offence. Slaughtering of animals without permission outside the municipal slaughter houses is liable to get the same fine. The fine for selling diseased or unwholesome article or animal intended for human consumption is Rs.200 for first offence and Rs.100 for subsequent offence. Rs.100 per day will be charged for the continuity of offence