

## **RULES AND REGULATIONS GOVERNING THE LICENSING OF DHABA IN SHILLONG**

**State: Meghalaya**

**Details of licensing procedures are as follows:**

The issue of license for dhaba's are regulated by the Shillong Municipal Board as per the provisions of byelaws framed by the Shillong Municipal Board which is framed under Meghalaya Municipality Act 1973. Shillong Municipal Board is the supreme regulatory Board. (Byelaws can be referred in <http://smb.gov.in/byelaws.htm>)

### **Licensing Procedure**

License will be issued after furnishing all the required particulars along with the consent of the Meghalaya State Pollution Control Board. One has to apply in the prescribed application form which can be obtainable from the office of the Shillong Municipal Board at the cost of Rs.10/- along with other supportive documents. One has to approach the Municipal board for license whereas the Meghalaya State Pollution Control Board for consent.

### **Regulatory Body:**

Shillong Municipal Board is the supreme regulatory Board. One has to approach the Municipal board for license whereas the Meghalaya State Pollution Control Board for consent. The officer in charge for the issue of license is the Chief Executive Officer.

### **Documents Required:**

If the premises are a rented one, the counter signature of the house owner is also needed in the application. The application form must be accompanied with the latest municipal holding tax receipt if the establishment is own. The recommendation of local headman (Rangbah Shnong) is also mandatory. Other documents are:

1. Proof of Nationality (EPIC, Driving License, Passport, PRC)
2. Rough sketch map of the location of shop.
3. Municipal Tax Receipt / NOC from land lord
4. Consent by MSPCB

### **Processing:**

No prescribed time limit has been stipulated for the issue of license. After submitting the completed application, an inspection to the premises where shop is to be established will be conducted. Then the license will be issued on the satisfaction of the inspector and the authority regarding the feasibility to set up the trade in the premise. Based on that license will be issued and processed. Generally this will take around 5-8 working days after submitting the application.

**FEES:**

Once the license is processed the applicant has to pay the fees applicable for each trade. It is Rs.750/- for dhaba's. The fees mentioned must be remitted in the Municipal Board of Shillong.

**License Renewal:**

Every trade license is valid up to 31<sup>st</sup> March every year regardless of when it is issued. The license holder has to renew it before it. After that license will be treated as lapse and the shop or the establishment is liable to close down. Notice will be sent to the holder after the license has lapsed for seven days

**Inspection:**

After submitting the completed application, an inspection to the premises where shop is to be established will be conducted by an authorized officer of the Municipal Board.

**Terms and Conditions:**

1. All refuse accumulated in the course of day's working should not be exposed to public view or thrown on the nearby road but kept in a receptacle and after the day's work is deposited into the nearest dustbin.
2. Rubbing of lime in the shop or shop building and careless spitting here and there shall not be allowed for which necessary arrangements should be kept in the shop.
3. As far as possible, the premises shall be kept neat and clean and in sanitary condition and proper drainage system shall be provided to drain out refuse water or lubricating oil to the nearest municipal drain.
4. All inflammable materials, such as gas and gasoline shall be handled with due care and store in a secure place and a sign board clearly and distinctly written with the inscription "SMOKING OR LIGHTING OF MATCHSTICKS STRICTLY PROHIBITED" exhibited in a prominent place of the premises dealing with such dangerous articles.
5. Proper arrangements shall be made for the exit of smoke and all precaution taken so that the working of the machinery tools and plant does not create any usual noise and sound creating nuisance or disturbances to the neighbouring locality.
6. Any person who starts or establishing a factory, workshop or work place or a shop for any of the foregoing items of business or trade without written permission of the Municipality and without taking a license obtained in advance or if any owner or a proprietor of a factory, workshop or work place or shopping centre violates or infringes any of the conditions of the permission, shall be liable to a fine not exceeding fifty rupees for everyday during which the factory, workshop or work place or shopping centre is maintained and continued functioning after he/she has been convicted of the offences.
7. This license does not confer on you any right or title over the stall/shop building or the land in question.
8. This license will remain in force for a period of one year from the date of issue and shall not be renewed if the terms and conditions are not fulfilled.

9. No cars or any vehicle are allowed to be parked on the roadside, which will obstruct the pedestrians or the flow of traffic.
10. This license shall stand automatically cancelled on default of the above terms and conditions.
11. Realization of license fees through a license shall be prescribed by the Board, and the license fee shall be determined by the Board from time to time as the case may be. The fee is subject to alteration from time to time by the Board at a meeting

**Penalty:**

As per the provisions of the act and byelaws one is supposed to obtain the license before starting. Failure will result in the closure of the shop and the seizure of the materials by the Municipal Board. A fine will also be levied upon the traders. After the renewal date, license will be treated as lapse and the shop or the establishment is liable to close down. Notice will be sent to the holder after the license has lapsed for seven days.

As per the Bye laws, Any person who starts or establishing a factory, workshop or work place or a shop for any of the foregoing items of business or trade without written permission of the Municipality and without taking a license obtained in advance or if any owner or a proprietor violates or infringes any of the conditions of the permission, then he shall be liable to a fine not exceeding fifty rupees for everyday during which the factory, workshop or work place or shopping centre is maintained and continued functioning after he/she has been convicted of the offences.