

THE LIVELIHOOD REGULATIONS REPORT

UJJAIN



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.

Ujjain also known as Ujain, Ujjayini, Avanti, Avantikapuri, is an ancient city of Malwa in central India on the eastern bank of the Kshipra River (today part of the state of Madhya Pradesh). It is the administrative centre of Ujjain District and Ujjain Division.

In ancient times the city was called Ujjayini. As per epic Mahabharata Ujjayini was the capital of Avanti Kingdom. It has been the first meridian of longitude for Hindu geographers since the 4th century BCE. It is one of the seven sacred cities of the Hindus, and the Kumbh Mela religious festival is held there every twelve years. It is also home to Mahakaleshwar Jyotirlinga, one of the twelve Jyotirlinga shrines to the god Shiva.

As of 2001 India census, Ujjain had a population of 429,933. Males constitute 52% of the population and females 48%. Ujjain has an average literacy rate of 72%, higher than the national average of 59.5%: male literacy is 79%, and female literacy is 66%. In Ujjain, 13% of the population is under 7 years of age.

The present report of the livelihood regulations in Ujain covers dhaba, vegetable sellers, fruit sellers, cycle rickshaws and meat Shops.

UJAIN

The Trades under the study are

1. **Dhaba**
2. **Vegetable sellers**
3. **Fruit sellers**
4. **Meat Shop**
5. **Cycle Rickshaw**

The licensing of trades in the municipal limits of Ujain is regulated as per the regulations directed by the Madhya Pradesh Municipal Corporation Act 1956. The timings for operation are fixed as per the directions of Madhya Pradesh shops and establishments Act 1958.

As per the Section 366 of the Madhya Pradesh Municipal Corporation Act 1956, licenses are necessary for all trades, which is prescribed under the Act. The license must give the details on the date of the grant, purpose and the period, restrictions and conditions, fees and the date for the renewal etc. The fees may be charged as fixed by the commissioner and the licensee is supposed to charge that prescribed fees. The details of licensing are as follows:

Trade wise details are as follows:

I.Dhaba (Eating House):

The licensing of eating houses are regulated as per the regulations directed by the Madhya Pradesh Municipal Corporation Act 1956. The timings for operation is fixed as per the directions of Madhya Pradesh shops and establishments Act 1958. They have to follow the provisions of Prevention of food adulteration act also.

As per the Section 366, licenses are necessary for all trades, which is prescribed under the Act. The date of the grant, purpose and the period, restrictions and conditions, fees and the date for the renewal etc must be specified in the license. The fees may be charged as fixed by the commissioner and the licensee is supposed to charge that prescribed fees.

License Procedure:

As per section 366 of the corporation Act, every application for license shall be addressed to the commissioner. The acceptance on or behalf of the license fees shall not entitle the person paying the fees to the license or permission.

The application for license must be addressed to the commissioner of the Municipal Corporation. The form can be purchased from the municipal corporation office and zonal office on the payment of Rs.2/-, which has to be submitted back in the office after being filled along with the specified fees. Information about license fee for different categories can be obtained from the counters of zonal offices.

After the verification of the premises and documents, the licenses will be issued. The computerized license can be received from the counters of the respective zonal offices. License from the corporation is the identity proof of one's trade.

License fees:

As per the Section 366, the fees for licenses may be charged as fixed by the commissioner and the licensee is supposed to pay that prescribed fees. The rate of the license fees shall be revised in every three years. Fees can be paid through the counter of zonal office or municipal corporation counter

Renewal:

The application for renewal shall be made in the prescribed form before the date of expiry. The fees and procedures for renewal are same as that of new license. Pending the receipt of orders on his application made on before the prescribed date for the application for renewal, an applicant shall be entitled to act as if has been renewed.

Prohibition of hawking:

As per the section 10 of the M.P shops and establishments Act 1958, 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 section 9 for the shops dealing in the same class of goods in locality in which such street or public place is situated. Any person contravening the provisions shall be liable to have his goods seized by an Inspector. The seized goods shall be returned to the person when he pays a deposits of Rs.50 as a security when appears 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

Suspension and Revocation:

As per the Municipal Corporation act, the licensee is supposed to produce it at all reasonable times as required by the commissioner or any authorized officer. The license can be suspended or revoked at any time by the commissioner if any of the restrictions or conditions is being infringed or evaded by the grantee or if the grantee is convicted of a breach of any of the provisions of the Act or of any rule or byelaws under made there under in any matter to which such license or permission relates.

When any such license or written permission is suspended or revoked or when the period for which the same was granted has expired, the grantee shall for all purposes deemed to be without a license or a written permission until whether within the said period or otherwise, as the authority granting the same may see fit to cancel the order suspending or revoking the license until it is renewed, as the case may be.

Opening and closing hours:

As per the section 14 of Madhya Pradesh shops and establishments Act 1958, no eating-house shall be open earlier than 5a.m and close later than 1.30 am for service. Provided that an employee in eating house may be required to commence the work not earlier than 4.30 a.m and shall not required to work later than 2 a.m. provided also that any customer

who was being served or waiting to be served at the closing hour or eating house may be served in such restaurant or eating house during the half hour immediately following such hour. The government can also fix later opening and earlier closing hours for different areas or for different periods of the year. Notwithstanding anything contained in the Act, Government can fix specific timings for special occasions by notification. The act also says that no goods of the kind sold in such shops shall be sold in any eating house except for the consumption on premises before and after the hours fixed for opening and closing.

Penalty:

As per section 434, penalties will be charged for the contravention of the provisions of the Act. As per section 248, licenses are needed for storing dangerous or offensive articles or carrying on dangerous or offensive trade. Violation will be charged a fine of Rs.5000/-If the person continues to commit an offence, it shall be punished for each day after the first during which he commit an offence with fine which may extend to Rs.500/- As per section 259, sale of diseases articles or animals intended for human food will be charged a fine of Rs.1000/- for the sale and Rs.1000/- for the first offence and Rs.5000 for any subsequent offence.

II. Vegetable Sellers:

The licensing of Vegetable vendors are regulated as per the regulations directed by the Madhya Pradesh Municipal Corporation Act 1956. The timings for operation are fixed as per the directions of Madhya Pradesh shops and establishments Act 1958. They have to follow the provisions of Prevention of food adulteration act also.

License Procedure:

As per section 366 of the corporation Act, every application for license shall be addressed to the commissioner. The acceptance on or behalf of the license fees shall not entitle the person paying the fees to the license or permission. Licenses are necessary for all trades, which is prescribed under the Act. The date of the grant, purpose and the period, restrictions and conditions, fees and the date for the renewal etc must be specified in the license. The fees may be charged as fixed by the commissioner and the licensee is supposed to charge that prescribed fees.

The application for license must be addressed to the commissioner of the Municipal Corporation. The form can be purchased from the municipal corporation office and zonal office on the payment of Rs.2/- that has to be submitted back in the office after being filled along with the specified fees. Information about license fee for different categories can be obtained from the counters of zonal offices.

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Renewal:

The application for renewal shall be made in the prescribed form before the date of expiry. The fees and procedures for renewal are same as that of new license. Pending the receipt of orders on his application made on before the prescribed date for the application for renewal, an applicant shall be entitled to act as if has been renewed.

Prohibition of hawking:

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When any such license or written permission is suspended or revoked or when the period for which the same was granted has expired, the grantee shall for all purposes deemed to be without a license or a written permission until whether within the said period or otherwise, as the authority granting the same may see fit to cancel the order suspending or revoking the license until it is renewed, as the case may be.

Opening and closing hours:

As per the Madhya Pradesh shops and establishments Act 1958, no shop or commercial establishments can be opened earlier than the prescribed timings fixed by the Government by a general or a special order. It also cannot be kept later than the timings fixed by the Government by a general or a special order. Provided that any customer who was being served or was waiting to be served at the closing hours so fixed in any shop may be served in such shop during half hour immediately following such hour. The government can fix different timings for opening and closing of shops and establishments or for different areas or for different periods of the year.

Penalty:

As per section 434, penalties will be charged for the contravention of the provisions of the Act. As per section 248, licenses are needed for storing dangerous or offensive articles or carrying on dangerous or offensive trade. Violation will be charged a fine of Rs.5000/- If the person continues to commit an offence, it shall be punished for each day after the first during which he commit an offence with fine which may extend to Rs.500/- As per section 259, sale of diseases articles or animals intended for human food will be charged a fine of Rs.1000/- for the sale and Rs.1000/- for the first offence and Rs.5000 for any subsequent offence.

III. Fruit Sellers:

The licensing of fruit sellers are regulated as per the regulations directed by the Madhya Pradesh Municipal Corporation Act 1956. The timings for operation are fixed as per the directions of Madhya Pradesh shops and establishments Act 1958. They have to follow the provisions of Prevention of food adulteration act also.

As per the Section 366, licenses are necessary for all trades, which is prescribed under the Act. The date of the grant, purpose and the period, restrictions and conditions, fees and the date for the renewal etc must be specified in the license. The fees may be charged as fixed by the commissioner and the licensee is supposed to charge that prescribed fees.

License Procedure:

As per section 366 of the corporation Act, every application for license shall be addressed to the commissioner. The acceptance on or behalf of the license fees shall not entitle the person paying the fees to the license or permission.

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After the verification of the premises and documents, the licenses will be issued. The computersied license can be received from the counters of the respective zonal offices. License from the corporation is the identity proof of one's trade.

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Renewal:

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Prohibition of hawking:

As per the section 10 of the Madhya Pradesh shops and establishments Act 1958, 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 section 9 for the shops dealing in the same class of goods in locality in which such street or public place is situated. Any person contravening the provisions shall be liable to have his goods seized by an Inspector. The seized goods shall be returned to the person when he pays a deposit of Rs.50 as a security when appears 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

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Opening and closing hours:

As per the M.P shops and establishments Act 1958, no shop or commercial establishments can be opened earlier than the prescribed timings fixed by the Government by a general or a special order. It also cannot be kept later than the timings fixed by the Government by a general or a special order. Provided that any customer who was being served or was waiting to be served at the closing hours so fixed in any shop may be served in such shop during half hour immediately following such hour. The government can fix different timings for opening and closing of shops and establishments or for different areas or for different periods of the year.

Penalty:

As per section 434, penalties will be charged for the contravention of the provisions of the Act. As per section 248, licenses are needed for storing dangerous or offensive articles or carrying on dangerous or offensive trade. Violation will be charged a fine of Rs.5000/-If the person continues to commit an offence, it shall be punished for each day after the first during which he commit an offence with fine which may extend to Rs.500/-

As per section 259, sale of diseased articles or animals intended for human food will be charged a fine of Rs.1000/- for the sale and Rs.1000/- for the first offence and Rs.5000 for any subsequent offence.

IV. Meat Shops:

The licensing of meat shops are regulated as per the regulations directed by the Madhya Pradesh Municipal Corporation Act 1956. The timings for operation is fixed as per the directions of Madhya Pradesh shops and establishments Act 1958. They have to follow the provisions of Prevention of food adulteration act also.

As per the Section 366, licenses are necessary for all trades, which is prescribed under the Act. The date of the grant, purpose and the period, restrictions and conditions, fees and the date for the renewal etc must be specified in the license. section 255 and 257 prohibits the sale and slaughtering of animals and meat without license and outside the municipal slaughterhouse. The fees may be charged as fixed by the commissioner and the licensee is supposed to charge that prescribed fees.

License Procedure:

As per section 366 of the corporation Act, every application for license shall be addressed to the commissioner. The acceptance on or behalf of the license fees shall not entitle the person paying the fees to the license or permission.

The application for license must be addressed to the commissioner of the Municipal Corporation. The form can be purchased from the municipal corporation office and zonal office on the payment of Rs.2/- which has to be submitted back in the office after being filled along with the specified fees. Information about license fee for different categories can be obtained from the counters of zonal offices.

After the verification of the premises and documents, the licenses will be issued. The computersied license can be received from the counters of the respective zonal offices. License from the corporation is the identity proof of one's trade.

License fees:

As per the Section 366, the fees for licenses may be charged as fixed by the commissioner and the licensee is supposed to pay that prescribed fees. The rate of the license fees shall be revised in every three years.

Fees can be paid through the counter of zonal office or municipal corporation counter.

Renewal:

The application for renewal shall be made in the prescribed form before the date of expiry. The fees and procedures for renewal are same as that of new license. Pending the receipt of orders on his application made on before the prescribed date for the application for renewal, an applicant shall be entitled to act as if has been renewed.

Prohibition of hawking:

As per the section 10 of the Madhya Pradesh shops and establishments Act 1958, 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 section 9 for the shops dealing in the same class of

goods in locality in which such street or public place is situated. Any person contravening the provisions shall be liable to have his goods seized by an Inspector. The seized goods shall be returned to the person when he pays a deposits of Rs.50 as a security when appears 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

Suspension and Revocation:

As per the Municipal Corporation act, the licensee is supposed to produce it at all reasonable times as required by the commissioner or any authorized officer. The license can be suspended or revoked at any time by the commissioner if any of the restrictions or conditions is being infringed or evaded by the grantee or if the grantee is convicted of a breach of any of the provisions of the Act or of any rule or byelaws under made there under in any matter to which such license or permission relates.

When any such license or written permission is suspended or revoked or when the period for which the same was granted has expired, the grantee shall for all purposes deemed to be without a license or a written permission until whether within the said period or otherwise, as the authority granting the same may see fit to cancel the order suspending or revoking the license until it is renewed, as the case may be.

Opening and closing hours:

As per the M.P shops and establishments Act 1958, no shop or commercial establishments can be opened earlier than the prescribed timings fixed by the Government by a general or a special order. It also cannot be kept later than the timings fixed by the Government by a general or a special order. Provided that any customer who was being served or was waiting to be served at the closing hours so fixed in any shop may be served in such shop during half hour immediately following such hour. The government can fix different timings for opening and closing of shops and establishments or for different areas or for different periods of the year.

Penalty:

As per section 434, penalties will be charged for the contravention of the provisions of the Act. As per section 248, licenses are needed for storing dangerous or offensive articles or carrying on dangerous or offensive trade. Violation will be charged a fine of Rs.5000/-If the person continues to commit an offence, it shall be punished for each day after the first during which he commit an offence with fine which may extend to Rs.500/-

As per section 434, penalties will be charged for the contravention of the provisions of the Act. As per section 255 and 257 licenses are needed for sale and slaughtering of animals and meat without license and outside the municipal slaughterhouse. Violation will be charged a fine of Rs.1000/- for the sale and Rs.5000/- for the slaughter. If the person continues to commit an offence, it shall be punished for each day after the first during which he commit an offence with fine which may extend to Rs.500/-

V.Cycle Rickshaw

Cycle Rickshaws are regulated as per the directions of Madhya Pradesh Cycle Rickshaw Adhiniyam 1984.

As per the provisions of the Madhya Pradesh Cycle Rickshaw Adhiniyam 1984, cycle rickshaw means a three wheeled cycle rickshaw driven by manual labour and includes all its components and accessories and vehicles of similar construction or design plying for hire within the limits of municipal area but does not includes a rickshaw designed and used only for carrying goods.

Licensing Procedure:

Notwithstanding any provisions of the Madhya Pradesh Municipal Corporation Act 1956 or any rule or bye law made there under, no owner of a cycle rickshaw shall be granted any license nor his license shall be renewed by any municipal authority after the commencement of the Madhya Pradesh Cycle Rickshaw Adhiniyam 1984 unless the rickshaw is to be plied or propelled by the owner himself. Provided that two licenses may be granted to the owner of a cycle rickshaw for the purpose of plying or propelling the cycle rickshaw where he engages another person as an attendant subject to the conditions and the restrictions as may be prescribed. A license granted or renewed prior to the commencement of the Act shall be revoked after six months of coming into force of the Act if it does not conform the provisions of the Act.

The application shall be addressed to the commissioner of the municipal corporation. The application for license must be addressed to the commissioner of the Municipal Corporation. The form can be purchased from the municipal corporation office and zonal office on the payment of Rs.2/- which has to be submitted back in the office after being filled along with the specified fees. Information about license fee for different categories can be obtained from the counters of zonal offices.

After the proper verification, the licenses will be issued. The computersied license can be received from the counters of the respective zonal offices. License from the corporation is the identity proof of one's trade.

Identification marks in license:

The license shall carry a photograph of the owner of the cycle rickshaw or the person engaged by him as an attendant as the case may be, duly attested by the authority issuing the license. The license issued shall also mention the word "owner" or "attendant" as the case may be in the license immediately below the photograph, in Capital Letters in red ink.

A copy of the photograph of the owner or attendant or the driver to whom a license for plying a cycle-rickshaw is to be issued shall be kept in the office record of the Municipal Authority issuing the license along with the application for the issue of license.

The license issued to the person engaged by the owner of the cycle rickshaw, as an attendant shall also mention the name and the license number of the owner plier of the Cycle rickshaw.

License Fees:

The fees for licenses may be charged as fixed by the commissioner and the licensee is supposed to pay that prescribed fees. The rate of the license fees shall be revised in every three years.

Fees can be paid through the counter of zonal office or municipal corporation counter. The Fees can be paid through the counter of zonal office or municipal corporation counter.

Exemptions:

Notwithstanding anything contained in this Act a license of a cycle- rickshaw may be granted or renewed by the municipal authority to a widow or to a disabled person to be plied or propelled by another person if this is the only source of livelihood of such person and the authorities can grant two driving licenses. But they must get the details of owner and driver being engaged along with a photograph of the driver.

A license may also be granted or renewed by a municipal authority to an educational institution recognized by the Educational Department and an institution of social welfare activities to ply through another person for the requirements of the institution. The body of rickshaw shall be painted yellow.

Forfeiture of Cycle Rickshaw:

If any person is convicted of an offence in respect of a cycle rickshaw the court shall declare such Cycle rickshaw to be forfeited to the State Government. If the owner of the cycle rickshaw cannot be traced, the court before which the cycle rickshaw is produced shall declare it to be forfeited to the State Government. The state Government may hand over any cycle rickshaw forfeited under sub-section (1) or sub-section (2) to the municipal authority within whose area the offence was committed, which authority may settle it with the plier or a propeller.

In the event of forfeiture, the municipal authority in whose jurisdiction offence was committed shall be competent to take possession for and on behalf of the State Government of the forfeited Cycle Rickshaw and shall settle it with the plier or the state government from time to time may issue a propeller subject to such direction as may be issued by the state government from time to time.

Penalty:

Any person who plies or propels the cycle rickshaw, without a license conforming to the provisions of this Act or causes it to be propelled by a person without a valid license issued under any law for the time being in force or plies or propels or causes to be plied or propelled a cycle rickshaw not meant to be plied or propelled for hire under subsection (2) of section (5) or without painting the body thereof in yellow as required by subsection (3) of section 5 shall be punishable with imprisonment which may extend to three months or a fine which may extend to Rs.250.

FINDINGS FROM THE STUDY**General Findings:**

1. The licensing of trades in the municipal limits of Indore is regulated as per the regulations directed by the Madhya Pradesh Municipal Corporation Act 1956.

2. The timings for operation is fixed as per the directions of Madhya Pradesh shops and establishments Act 1958.
3. The license must give the details on the date of the grant, purpose and the period, restrictions and conditions, fees and the date for the renewal etc.
4. The fees may be charged as fixed by the commissioner and the licensee is supposed to charge that prescribed fees.

Trade wise details are as follows:

Dhaba (Eating House):

1. As per section 366 of the corporation Act, every application for license shall be addressed to the commissioner. The acceptance on or behalf of the license fees shall not entitle the person paying the fees to the license or permission.
2. The fees for licenses may be charged as fixed by the commissioner and the licensee is supposed to pay that prescribed fees. The rate of the license fees shall be revised in every three years.
3. As per the section 10 of the M.P shops and establishments Act 1958, 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.. Any person contravening the provisions shall be liable to have his goods seized by an Inspector.
4. The license can be suspended or revoked at any time by the commissioner if any of the restrictions or conditions is being infringed or evaded by the grantee or if the grantee is convicted of a breach of any of the provisions of the Act or of any rule or byelaws under made there under in any matter to which such license or permission relates.
5. When any such license or written permission is suspended or revoked or when the period for which the same was granted has expired, the grantee shall for all purposes deemed to be without a license or a written permission until whether within the said period or otherwise, as the authority granting the same may see fit to cancel the order suspending or revoking the license until it is renewed, as the case may be.
6. As per the section 14 of M.P shops and establishments Act 1958, no eating-house shall be open earlier than 5a.m and close later than 1.30 am for service. Provided that an employee in eating house may be required to commence the work not earlier than 4.30 a.m and shall not required to work later than 2 a.m.
7. As per section 248, licenses are needed for storing dangerous or offensive articles or carrying on dangerous or offensive trade. Violation will be charged a fine of Rs.5000/-If the person continues to commit an offence, it shall be punished for each day after the first during which he commit an offence with fine which may extend to Rs.500/-
8. As per section 259, sale of diseases articles or animals intended for human food will be charged a fine of Rs.1000/- for the sale and Rs.1000/- for the first offence and Rs.5000 for any subsequent offence.

Vegetable Sellers, meat shops and fruit sellers :

1. Procedures are same of dhaba except the timings
2. As per the Madhya Pradesh shops and establishments Act 1958, no shop or commercial establishments can be opened earlier than the prescribed timings fixed by the Government by a general or a special order. It also cannot be kept later than the timings fixed by the Government by a general or a special order. The

government can fix different timings for opening and closing of shops and establishments or for different areas or for different periods of the year

3. As per section 255 and 257 licenses are needed for sale and slaughtering of animals and meat without license and outside the municipal slaughterhouse. Violation will be charged a fine of Rs.1000/- for the sale and Rs.5000/- for the slaughter. If the person continues to commit an offence, it shall be punished for each day after the first during which he commit an offence with fine which may extend to Rs.500/-

Cycle Rickshaw

1. Cycle Rickshaws are regulated as per the directions of Madhya Pradesh Cycle Rickshaw Adhiniyam 1984.
2. As per the provisions of the Madhya Pradesh Cycle Rickshaw Adhiniyam 1984, cycle rickshaw means a three wheeled cycle rickshaw driven by manual labour and includes all its components and accessories and vehicles of similar construction or design plying for hire within the limits of municipal area but does not includes a rickshaw designed and used only for carrying goods.
3. No owner of a cycle rickshaw shall be granted any license nor any municipal authority shall renew his license unless the rickshaw is to be plied or propelled by the owner himself.
4. The license shall carry a photograph of the owner of the cycle rickshaw or the person engaged by him as an attendant as the case may be, duly attested by the authority issuing the license.
5. The license issued shall also mention the word "owner" or "attendant" as the case may be in the license immediately below the photograph, in Capital Letters in red ink.
6. A copy of the photograph of the owner or attendant or the driver to whom a license for plying a cycle-rickshaw is to be issued shall be kept in the office record of the Municipal Authority issuing the license along with the application for the issue of license.
7. The license issued to the person engaged by the owner of the cycle rickshaw, as an attendant shall also mention the name and the license number of the owner plier of the Cycle rickshaw.
8. A license of a cycle- rickshaw may be granted or renewed by the municipal authority to a widow or to a disabled person to be plied or propelled by another person if this is the only source of livelihood of such person and the authorities can grant two driving licenses.
9. A license may also be granted or renewed by a municipal authority to an educational institution recognized by the Educational Department and an institution of social welfare activities to ply through another person for the requirements of the institution. The body of rickshaw shall be painted yellow.
10. If any person is convicted of an offence in respect of a cycle rickshaw the court shall declare such Cycle rickshaw to be forfeited to the State Government.
11. In the event of forfeiture, the municipal authority in whose jurisdiction offence was committed shall be competent to take possession for and on behalf of the State Government of the forfeited Cycle Rickshaw and shall settle it with the plier or the state government from time to time may issue a propeller subject to such direction as may be issued by the state government from time to time.
12. Any person who plies or propels the cycle rickshaw, without a license conforming to the provisions of this Act or causes it to be propelled by a person without a valid license issued under any law for the time being in force or plies or propels or causes to be plied or propelled a cycle rickshaw not meant to be plied or propelled for hire

under subsection (2) of section (5) or without painting the body thereof in yellow as required by subsection (3) of section 5 shall be punishable with imprisonment which may extend to three months or a fine which may extend to Rs.250.