

RULES AND REGULATIONS GOVERNING THE LICENSING OF MEAT SHOPS IN SHIMLA

State: Himachal Pradesh

Details of licensing are as follows:

Meat shop is a place where animals (goat, pig and sheep) are kept, ante mortem of animals are done, slaughtered and prepared, washed and cleaned, post mortems are done and then distributed for sale.

The Licensing is regulated through the laws, bylaws and sections under the Himachal Pradesh Municipal Corporation Act 1994, chapter (Slaughter House) and the regulatory body is the Municipal Corporation Shimla.

As per the Section 313 of the Himachal Pradesh Municipal Corporation Act 1994, The Commissioner, when authorized by the Corporation in this behalf, may provide and maintain municipal markets and slaughter houses for the use of persons carrying on trade or business in, or frequenting such markets or slaughter. Municipal markets and slaughter houses shall be under the control of the Commissioner who may at any time, by public notice, close any Municipal market or slaughter house or any part thereof. As per section 316, The Commissioner may charge such fees as he thinks fit to impose for the grant of a licence to any person to open a private market and may grant such licence subject to such conditions, consistent with this Act and any bye-laws made there under, as he thinks fit to impose. When the Commissioner refuses to grant any licence, he shall record a brief statement of the reasons for such refusal. The Commissioner have to get the previous approval of the Corporation and the reasons must be recorded while suspending a licence in respect of a private market for such period as he thinks fit or cancel such licence. Provided no such licence shall be cancelled without giving an opportunity of being heard to the licence.

The procedures are same as of dhaba's. The only difference is that the Veterinary and Public Health Officer (VPHO) recommends, inspects or gives a NOC. Regarding the authority and departments involved, Veterinary and Public Health Officer (VPHO) is the ultimate authority. The applicants can contact the official at Veterinary and Public Health Officer C/o Ant Marketing Superintend Office, Sabzi Mandi, Lower Bazaar, Shimla. VPHO is actually a part of the Health Department but is located so because of the convenience of being close to the meat market of Shimla. The licensing procedure and renewal procedure as same of dhaba. But in addition, the slaughter houses have to follow the conditions as per the Shimla Municipal Corporation (Slaughter House) Bye-laws, 2004.

LICENSING PROCEDURE:

The License can be obtained upon filling up of an application form available at the Estate Branch of the Municipal Corporation at a cost of Rs.5/- only. There is a procedure

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to apply and if the application is found satisfactory including obtaining recommendation of the Health Official, a License is granted within a week's time. The procedure is rather simple and requires little documentation.

At first one has to obtain an application form at a cost of Rs.5/- from the Municipal Corporation and submit the duly filled application form along with the required documents and remit the applicable amount by cash or cheque for annual License fee. (A copy of the application is forwarded to the Corporation Health Officer from the Estate branch and he is expected to conduct routine investigation of the premises or may be escorted by the applicant to expedite the process, the report is then sent back to the Estate Branch with Corporation Health Officer's comments and verifications on the basis of which a final decision is made.

DOCUMENTS REQUIRED:

1. Affidavit of the applicant on Rs.5 Stamp paper containing information regarding the legality of ownership/tenancy of the premises, since how long the business is being run
2. NOC from Architect/Planner Branch.
3. NOC or recommendation of the Corporation Health Officer

AUTHORITY AND DEPARTMENTS :

For PFA licenses, the authorities involved are Corporation Health Officer, Municipal Engineer, Architect Planner, Tax Department Secretary, Fire department secretary H.P. Government and Superintendent of Estates Branch.

Departments are Estates Branch, Health Department, Water supply and sewerage, Architect Planner Branch, Tax department of the corporation, Fire department of H.P. Government and Estates Branch etc.

PRESCRIBED TIME:

There is no time limit prescribed in the Acts and Byelaws.

LICENSE FEES:

The fee has to be remitted along with the filled in application form at the Estate Branch. It varies according to the area of the premises and nature of business as follows:

FEES BASED On PREMISE

Up to 125 sq ft	- Rs.200
More than 125 sq ft	- Rs.300

FEES BASED ON PURPOSE

Catering	- Rs.500
Lodging	- Rs.500
Bar	- Rs.500

Only one License is granted per application and a single application can contain more than one type of business, however the License fee is additional and is computed in total.

As per the "The Shimla Municipal Corporation (Control and Regulation) Hawkers Bye-Laws, 2004, The licensee shall be liable to pay tehbazari in addition to the licensee fee, at the rates to be decided by the commissioner Municipal Corporation, Shimla from time to time. Tehbazari shall be charged weekly in advance.

RENEWAL PROCEDURE:

A License is renewable every subsequent year i.e. it is granted at an annual basis only. There is a penalty in case of failing to obtain or renew a License as and when required

Up to one month's delay	-	50% of License fee
Up to two months' delay	-	75% of License fee
Up to three months' delay	-	100% of License fee

A delay of more than such time is penalized at the discretion of the Joint Commissioner of the Municipal Corporation who also holds powers of a Judicial Magistrate delegated by the Honorable High Court of Himachal Pradesh.

TERMS AND CONDITIONS:

1. Keep a valid License at all times.
2. Maintain health and hygiene at the premises and also personally or that of the staff working at the business. Be properly inoculated against infectious diseases.
3. Be available for queries and inspection of premises from time to time.

Timings:

As per the "The Shimla Municipal Corporation (Control and Regulation) Hawkers Bye-Laws, 2004, The Commissioner or the licensing officer/official limit the time during which Hawkers may be permitted to operate either generally or specially in respect of any class of articles or in any particular public street.

Additional Procedures for the slaughter houses:

Terms and Conditions:

1. No animal shall except in case of necessity or for a purpose, be slaughtered in any place granted or licensed by the Committee for the slaughtering of animals.
2. Adequate provisions shall be made at every place appointed or licensed for the slaughtering of animals for:-
 - a. An adequate supply of wholesome water.
 - b. Disinfection & cleansing of utensils, instruments and hands.
 - c. Ventilation
 - d. Lighting
 - e. Cleansing.
3. Keeping the premises free from flies, carrion, rats, mice and other vermin.
4. Sufficient number of vessels or receptacles of galvanized iron or other non-absorbent material and furnished with closely fitting covers for the purpose of receiving and conveying all refuse products.
5. An adequate number of hangers or pulleys must be available for hanging the carcasses.
6. Paving the slaughter yard with rough cement concrete or other non-slippery impervious material and for covering the internal surface of the surrounding walls with hard smooth and impervious materials to a height of at least six feet.
7. Suitable drains must be there to connect with municipal drains and in case of non-sewered towns with cesspools or pits constructed of non-absorbent material outside the building for the collection of refuse, filth etc.

Department and the Authority involved:

The Veterinary Public Health Officer shall be the Officer in-charge of the slaughter house. It shall be his duty: -

1. To attend at the slaughter house during the hours fixed.
2. To inspect the animals ante-mortem
3. To inspect carcasses.
4. To keep a record of the animals slaughtered.
5. To see that at the end of each day's work the slaughter-house is thoroughly cleaned and disinfected and all meat unfit for human or animal consumption has been duly destroyed or disposed off and generally to enforce the provisions of the Bye-Laws.

Opening and Closing Hours:

The slaughter-house shall be open for the slaughter of animals during such hours only as the Committee may from time to time prescribe but in special circumstances and on the realization of such, extra fee as the Superintendent may think fit, he may allow the slaughter of an animal at any other time, under his written permission. The Veterinary Public Health Officer shall fix at a conspicuous place in the slaughter house a notice showing: -

1. The hours of working of the slaughter house.
2. The fees payable and
3. Any other directions that the Committee may see fit to issue.

Health Precautions:

1. No person effected with tuberculosis, or any other infectious or contagious disease shall enter the slaughter house.
2. The Veterinary Public Health Officer may require any person using the slaughter-house to submit to a medical inspection.
3. No person other than the Municipal staff on duty inspecting officers, butchers slaughter-men and their assistants or bona fide servants shall enter the slaughter house premises during the process of slaughtering, skinning or cutting up of carcasses.
4. No person shall rub or cause to be rubbed the inner sides of the skins upon the ground within any portion of the slaughter house.
5. Hides and skins shall not be dragged within the slaughter house premises except on the hairy sides.
6. No gut scrapping trips cleaning manufacture or preparation of articles of food for meat animals, house hold washing or work of any nature, other than is involved in the slaughter house of animals and the dressing of carcasses, shall be permitted in the slaughter house.
7. No meat shall be sold on the premises of the slaughter house.
8. An animal rejected for slaughter shall not be brought again to the slaughterhouse

Provisions before The Slaughter

1. Every animal intended for slaughter shall be brought to the inspection yard and presented for inspection to the Veterinary Public Health Officer.
2. No animal shall be approved for slaughter, if: -
 - a. It is less than 15 months old.
 - b. It is in a fertile condition or is excessively old.
 - c. It is pregnant or is with un-weaned young.
 - d. It is deceased or in a dying condition provided that an animal which has met with an accident, but is otherwise healthy may be approved.

- e. It shows symptoms of having being treated cruelly by over-trucking, over-driving, or other acts.
3. No person shall bring into any part of the slaughter house the following:
- f. An animal less than 15 months old.
 - g. An animal in a fertile condition or is excessively old.
 - h. An animal which is pregnant or is with un-weaned young.
 - i. A deceased or dying or dead or any carcass or part thereof.
 - j. An animal showing symptoms of having being treated cruelly by over-trucking, over-driving, or other acts.
 - k. A dog or any animal not meant for slaughter or for the slaughter of which the slaughter house is not provided.
4. The veterinary Public Health Officer shall maintain a register in which he shall record: -
- a. The age, class, sex and a brief description of each animal presented for slaughter.
 - b. Name and address of the owner of the animal.
 - c. Result of ante-mortem inspection.
 - d. Result of post mortem inspection and fees recovered.
5. An animal rejected for slaughter shall not be brought again to the slaughterhouse.
6. Animal found to be affected by any infectious or contagious disease or which are reasonably suspected of being so affected shall, if the Veterinary Public Health Officer so directs, be forthwith apprehended and removed to the Veterinary Hospital or such other place as the Committee may provide for the purpose.
7. Animals approved for slaughter shall be branded or marked with a distinctive mark on the ears, hoofs or horns and admitted to the waiting yard, provided that no animal shall be admitted to the waiting yard, if the prescribed fee has not been paid.
8. While in the waiting yard the owner or the person in-charge of the animal shall be responsible for its security, proper care, feeding and watering provided that the Committee may arrange for feeding of animals, while in the waiting yard and recover the expenses from the owner.
9. All animals approved for slaughter shall be kept in the waiting yard, until the owners or person in-charge thereof receive permission from the Veterinary Public Health Officers to take them to the slaughter yard.
10. Slaughter house fee will be collected from the owners or person in-charge for all the animals to be slaughtered after inspection has been completed. The fee will be fixed/revised by the Corporation from time to time

The Slaughter

1. No animal shall be admitted to the slaughter yard, unless it is blindfolded
2. Every person willing to work as a slaughter man in the slaughter house shall get his name registered as such in the Committee's office
3. No person shall slaughter an animal in the slaughterhouse unless his name is registered as a slaughter-man
4. The Veterinary Public Health Officer may inspect the instruments and appliances of every slaughter-man and may prohibit the use of any instrument or appliance by a slaughter-man, if in his opinion such instrument or appliance is not in proper working order
5. The Veterinary Public Health Officer shall assign a place to each slaughter-man for slaughtering and no animal shall be slaughtered by a slaughter man at any other place than the place assigned to him
6. Every animal shall be slaughtered immediately over the drain and no blood shall be allowed a flow upon the floor. No animal shall be slaughtered in public view, or in view of another animal

After The Slaughter:

1. Slaughtered animals shall be disemboweled as soon as possible after slaughter, to the satisfaction of the Veterinary Public Health Officer
2. That the contents of the stomach and bowels of the slaughtered animals shall not be washed into the drain or allowed to drop on the floor but shall be emptied into receptacles provided for the purpose by the Committee
3. No person shall conceal, remove or obliterate any evidence of any disease in a carcass by washing, rubbing, stripping or in any other manner, before presenting it for inspection by the Veterinary Public Health Officer
4. No person shall strip the serious membranes of a carcass, except with the permission and under the direct supervision of the Veterinary Public Health officer
5. No air shall be blown by mouth or by any other manner into the tissues of any carcass or part of the carcass
6. The Veterinary Public Health Officer may cause to be buried or destroyed any carcass or part of a carcass found to be blown or stuffed
7. While upon the premises of the slaughter yard the fat of every animal slaughtered shall be kept freely exposed to the air
8. All carcasses shall after skinning the cleaning be presented to the Superintendent for inspection
9. The Veterinary Public Health Officer, shall have his own knives, wipe and instruments for examining carcasses and parts and organs thereof
10. Knives and other instruments that have been used for cutting or examining any diseased organ, gland or tissue shall not again be used for any purpose until they have been properly disinfected
11. If a carcass is found on inspection to be free from disease, the Veterinary Public Health Officer shall pass it without undue mutilation as fit for human consumption

12. If any part of the carcass is found to be diseased it shall be removed, and the remainder passed fit for human consumption if it shows no symptoms of disease
13. If the entire carcass is contaminated with disease or is otherwise unfit for human consumption, it shall be condemned
14. All condemned meat shall be destroyed, buried or otherwise disposed off under the orders of the Veterinary Public Health Officer
15. All carcasses which have been passed by the Veterinary Public Health Officer as fit for human consumption shall be marked "Passed" along with an identifying mark for the kind of meat such as "G" for goat flesh and "M" for mutton.
16. No person except the Veterinary Public Health Officer or a person specially authorized by him shall affix or place or cause to be affixed or placed the inspection or identifying marks to or on any meat and no such marks shall be affixed or placed to or on any meat at any place other than the premises of the slaughter-house
17. No person shall remove any carcass from the slaughter house premises until it has been duly passed by the Veterinary Public Health Officer
18. No person shall remove entrails and offal's from the slaughter-house until they have been properly washed and cleansed
19. Any carcass or part thereof not removed from the slaughter- house, or such further time as the Veterinary Public Health Officer shall become the property of the Committee and the Veterinary Public Health Officer shall be general or special order provide for the disposal of such carcass or parts thereof

Penalty:

At the discretion of Joint Commissioner, Municipal Corporation Shimla a minimum fine of Rs.50 and a maximum fine of Rs 500 is payable if operating without a License. In addition a delay of more than three months for renewal is penalized at the discretion of the Joint Commissioner of the Municipal Corporation who also holds powers of a Judicial Magistrate delegated by the Honorable High Court of Himachal Pradesh.

Any person transgressing the provisions of Bye-Laws 10 (i), 11 and 12 may be removed from the slaughter house summarily under the directions of Veterinary Public Health Officer.

Any animal brought into the slaughterhouse in contravention of this Bye-Laws shall be summarily removed under the orders of the Veterinary Public Health Officer.

(Byelaws regulating the trade can be accessed at <http://www.shimlamc.org/>)