

RULES AND REGULATIONS GOVERNING THE LICENSING OF FRUIT SELLERS IN SRINAGAR

State: Jammu and Kashmir

Details of licensing are as follows:

The regulation of the trades within the premises of Srinagar city is governed by Srinagar Municipal Corporation (SMC). The enactments which lay down the provisions regarding the concerned trades are as follows:

1. Srinagar Municipal Corporation Act, 2000
2. Prevention of Food Adulteration Act, 1954
3. Kashmir Shops and establishments Act, 1966

License is issued by the Health officer, Srinagar Municipal Corporation. The Health Officer, SMC (Srinagar Municipal Corporation) issues the PFA licence under sec. 24 of the Prevention of Food Adulteration Act, 1954 to the vendors for storage/sale/distribution or exhibition of any article of food.

Fruit vendors have the same procedures of Vegetable sellers.

Eligibility Criteria:

The eligibility criteria for those who are applying for licence is given under:-

1. The applicant should be a permanent resident of the state of Jammu & Kashmir. However, he can employ a non-state subject as labours
2. The applicant shall not be less than 18 years of age

Licensing Procedure:

In order to start a trade of vegetable/fruit selling, one has to take PFA license from the Health Officer, SMC. He has to apply through a form which can be collected from the Srinagar Municipality office, SMC, Karan- Nagar, and Srinagar.

In the form the applicant specifies his name, address and the area of trade. This application form is then referred to Food Inspector who after checking the trade place etc marks the application.

Then the application is finally passed to the Health Officer who issues the license to the applicant and also the Medical Fitness Certificate.

Documents Needed:

1. Three photographs of the applicant duly attested by the Gazetted Officer, In case the applicant wishes to employee labourers, 3 photographs of the labourers attested

- by the Gazetted Officer also is needed
- 2. Licensing fees as mentioned above
- 3. A copy of the Permanent Resident certificate of Jammu & Kashmir State

License Renewal:

A license shall, unless sooner suspended or cancelled, will be in force for such period as the State Govt. may prescribe. Every licensee who sells any food shall display a notice board containing the nature of the articles which he is exposing or offering for sale. The license will remain valid for one year with effect from 1st April to 31st of March. After that the license should be renewed in the same manner as in the case of applying for fresh license. License fee remains the same. Last date of validity of license is 31st March of every year. Thus the trader has to get his license renewed by 31st of March. After 31st of the March, late fee is also charged along with the licence fees.

License Processing:

It takes around one week in the processing of licence.

License Fees:

The vegetable/fruit shops shall be annually charged a sum of licence fee of Rs.520/annum per shop. For mobile vegetable/fruit vendors, the annual licensing fees shall be Rs.120/annum.

Fees Remittance:

Fees remittance is done in the Office of Health Officer, SMC through direct payment of cash by the applicant.

Regulatory Authority:

Health officer of the Srinagar Municipal Corporation.

Prohibition:

No person shall himself or by any person on his behalf sell / store /distribute:

- 1. Any adulterated food
- 2. Any misbranded food.
- 3. Any article of food for the sale of which a license is not prescribed.
- 4. Any article of food which is prohibited for sale for the time being.

TERMS AND CONDITIONS:

- 1. The licence issued will be non-transferable.
- 2. The vegetable/fruit shops shall be annually charged a sum of licence fee of Rs.520/annum per shop. The fees shall be paid either in cash or through the D.D payable to the CAO (Chief Accounts Officer) Srinagar Municipal Corporation.
- 3. In case of mobile vegetable/fruit vendors, the annual licensing fees shall be Rs.120/annum. No sanitation fee whatsoever shall be charged from these vendors. (It is mentioned that annual licensing fees is Rs.120/annum, and regarding

sanitation there is no fees at all).

4. The licence shall remain valid for one year with effect from 1st April to 31st March.
5. A period of one month shall be given to all the mobile vegetable/fruit vendors to get their licences made before, after which a monthly penalty shall be charged in addition to licence fees. It will be 10 % of the annual fees which is charged as penalty amount).
6. The mobile vegetable/fruit vendors shall abide by the terms and conditions governing their licences. (The terms and conditions in this context are mentioned below in point number 7, 8, 9, and 10).
7. The mobile vegetable/fruit vendors shall carry a garbage bin along for collection of waste generated and dispose off the same at the Municipal collection point. Any breach/ violation shall call for a penalty.
8. The mobile vegetable/fruit vendors shall not in any case create any nuisance to the common public.
9. The mobile vegetable/fruit vendors should conform to the standard size and design.
10. No mobile vegetable/fruit vendor will be allowed to ply in corporation limit without a proper licence.
11. The Srinagar Municipal Corporation reserves the right to impose penalty, cancel the licence in case of breach of terms and conditions.

Penalty:

The vendors shall furnish an undertaking to abide by the terms and conditions governing the license. Any breach/ violation shall call for a penalty. Srinagar Municipal Corporation reserves the right to impose penalty, cancel the license in case of breach of terms and conditions.

If the person is involved in breach/violation of concerned provisions, he shall, in addition to the penalty to which he may be liable under the provisions of section 6 of Food Adulteration Act 1954, be punishable with imprisonment for a term which shall not be less than six months but which may extend to three years, and with fine which shall not be less than Rs.1000.