

RULES AND REGULATIONS GOVERNING THE LICENSING OF MEAT SHOPS IN VARANASI

State: Uttar Pradesh

Details of licensing are as follows:

As per Section 426, no person shall, without license from the Mukhya Nagar Adhikari, sell or expose any animal or any article in any Mahapalika Market and any Person contravening this section may be summarily removed by any Mahapalika officer or servant.

Procedure:

The applicant should apply in the prescribed form for shop and for slaughterhouse. He has to go in a auction done by Nagar Nigam and applicants should fulfill the conditions of license for slaughter house provided by the corporation Act.

Authority:

Nagar Nigam officers and the health department is the authorities in regard of issuing licenses.

Documents Required:

As per the Act, the licensee is supposed to produce the necessary documents required by the Nagar palika Officers as mentioned in the RTI reply. As per RTI reply, No objection certificate from Nagar Nigam and the District authority is needed.

License Fees:

As per the act, the fees for licenses are prescribed by the Nagar Nigam Officers. The fees prescribed by the Nagar Nigam Officers have to be paid in the Treasury.

License Renewal:

The license must be renewed after 1 year by applying to the inspector concerned along with the same fees for a new license and if delays then surcharge will be taken by the owner. It must be renewed in the mentioned financial year itself (April to March). In case of delay, penalties will be charged.

Inspection:

As per the section 434 and 435 of U. P Nagar Mahapalika Adhinyam, 1959, the mukhya Nagar Adhikari/ corporation commissioner have the power to inspect any food particles, which is exposed or hawked for sale or about for sale and also the containers used for

preparing the same. If it is found unfit for human consumption, he can seize the article and carry away it and can arrest the person and also can take to the nearest police station.

Timings:

As per The U.P Dookan Aur Vanijya Adhidthan Adhiniyam 1962, section (5), no shops or commercial establishments, not mentioned in Schedule II, shall on any day opened earlier or close later than such hour prescribed by the government. It also says that the different areas have different times in the year of working hours. However vegetable sellers fall under Schedule II and so section 5 does not apply to it. Section 5 talks about working hours. Hence it can be opened and closed at any convenient time as no special mention about regulations for these trades is provided in the act. As per Schedule II, vegetable sellers does not fall under the purview of Section 8 as well, which talks about observing a holiday once a week. Hence one can keep it open all seven days in a week.

DIRECTIONS AS PER U.P NAGAR MAHAPALIKA ADHINIYAM, 1959

1. No person shall, without or otherwise than in conformity with the terms of a license granted by the Mukhya Nagar Adhikari in this behalf-
2. Carry on within the City, or at any Mahapalika slaughter-house, the trade of a butcher ;
3. Use any place in the City for the sale of the flesh of any animal intended for human consumption or any place without the City for the sale of such flesh for consumption in the City.
4. No person shall, without a license from the Mukhya Nagar Adhikari, sell or expose for sale any four-footed animal or any meat or fish intended for human food, in any place other than a Mahapalika or private market;
5. The Mukhya Nagar Adhikari may expel from any Mahapalika market, slaughter-house any person, who or whose servant has been convicted of contravening any rule, bye-law or regulation in force in, slaughter-house may prevent such person, by himself or his servants, from further' carrying on any trade or business in such market, slaughter-house or other place therein, and may determine any lease or tenure which such person may have in any such stall, shop, standing, shed, pen or , place.
6. If the owner of any private market or slaughter-house licensed under this Act or the lessee of such market or slaughterhouse or any stall therein or any agent or servant of such owner or lessee has been convicted for contravention of any rule, byelaw or regulation the Mukhya Nagar Adhikari may require such owner, lessee, agent or servant to remove himself from any such market or slaughter-house within such time as may be mentioned in the requisition and if he fails to comply with such requisition, he may, in 'addition to any penalty which may be imposed on him under this Act, be summarily removed from such premises
7. If it appears to the Mukhya Nagar Adhikari that in any such case the owner or lessee is acting in collusion with a servant or agent convicted, the Mukhya Nagar Adhikari may, if he thinks fit, cancel the license of such owner or lessee in respect of such premises.

8. As per Section 429, No person shall without the permission of the Mukhya Nagar Adhikari slaughter or cause to be slaughtered any animal for sale in the City except in a Mahapalika slaughter-house or a licensed private slaughter-house.
9. The Mukhya Nagar Adhikari may, by public notice, fix premises within the city in which the slaughter of animals of any particular kind not for sale or the cutting up of carcass of any such animal shall be permitted, and prohibit, except in case of necessity, such slaughter elsewhere within the City Provided that these condition shall not apply to animals slaughtered for any religious purpose.
10. No person shall without the written permission of the Mukhya Nagar Adhikari bring into the City any cattle, sheep, goats or swine intended for human consumption or the flesh of any such animal which has been slaughtered' at any slaughter-house or place not maintained or licensed under this Act.
11. Any police officer may arrest without warrant any person bringing into the City any animal or flesh in contravention of sub-section (1) of U.P NAGAR MAHAPALIKA ADHINIYAM, 1959
12. Any animal brought into the City in contravention of this section may be seized by the Mukhya Nagar Adhikari or by any Mahapalika officer or servant or by any Police Officer or in or upon Railway premises by any Railway servant and any animal or flesh so seized may be sold or otherwise disposed of as the Mukhya Nagar Adhikari shall direct and the proceeds if any shall belong to the Mahapalika.
13. If the Mukhya Nagar Adhikari shall have reason to believe that any animal intended for human consumption has been or is being or is likely to be slaughtered or that flesh of any such animal is being sold or exposed for sale, in any place or manner not duly authorized under the provisions of this Act, the Mukhya Nagar Adhikari may at any time, by day or by night, without notice, enter such place for the purpose of satisfying himself as to whether any provisions of this Act or of any bye-law is being contravened thereat and may seize any such animal or the carcass of such animal or such flesh found therein
14. The Mukhya Nagar Adhikari may remove and sell by auction or otherwise dispose of any animal or the carcass of any animal or any flesh seized
15. If within one month of such seizure the owner of the animal, carcass or flesh fails to appear and prove his claim to the satisfaction of the Mukhya Nagar Adhikari or if such owner is convicted of an offence under this Act in respect of such animal or carcass or flesh the proceeds of any sale shall vest in the Mahapalika. As per Section 434 and 435, Mukhya Nagar Adhikari may at all reasonable times inspect and examine meat shops. If any animal appears to the Mukhya Nagar Adhikari to be diseased or unsound or unwholesome or unfit for human consumption, he may seize and carry away the animal and the same may be dealt with as hereinafter provided and he may arrest and take to the nearest police station any person in charge of any such animal or article. The shop keeper shall keep such license in or upon the premises. The Mukhya Nagar Adhikari may at any time by day or Night enters or inspects the premises

Penalty:

Violation of norms amounts to a fine, which is generally Rs.100 and for subsequent offence, Rs.500. However in addition, the health officer will immediately close the shop.

Without license, no any meat shop will be continued or in process. Prevention of Food Adulteration Act also has provisions to penalize meat shop owners having no license.

If any meat, fish of a perishable nature be seized and the same is, in the opinion of the Mukhya Nagar Adhikari, diseased, unsound, unwholesome or unfit for human consumption, then the Mukhya Nagar Adhikari shall cause the same to be forth-with destroyed in such manner as to prevent its being again exposed for sale or used for human consumption and the expenses thereof shall be paid by the person in whose possession such article was at the time of its seizure.