

RULES AND REGULATIONS GOVERNING THE LICENSING OF VEGETABLE SELLERS IN VARANASI

State: Uttar Pradesh

Details of licensing are as follows:

The licensing of vegetable sellers is under the purview of Uttar Pradesh Nagar Mahapalika Adhinyam 1959 and the authority dealing is Municipal Corporation itself. According to section 438 of the Uttar Pradesh Nagar Mahapalika Adhinyam 1959, no person is allowed to carry on within the city or use any premises for the trade or operation specified in byelaws or which is dangerous with out the license granted by the Mukhya Nagar Adhikari. The commissioner has the power to grant license and add further conditions to it to with hold any such license and the licensee is supposed to keep the license in premises. In varansi, vegetable sellers also need licenses.

Procedure:

The process is submitting a filled application form in the prescribed form to Nagar Nigam. There are two forms (Prevention of food adulteration Act license form for food license and the license form for all trades by U.P Nagar Mahapalika Adhinyam) The form can be obtained from Nagar Nigam and the health department with the prescribed fees.

Authority:

Nagar nigam, Health department is the regulatory body. Health officer is the authority for issuing a license in behalf of Health department of Nagar Nigam.

Documents Required:

As per the Act, the licensee is supposed to produce the necessary documents required by the Nagar palika Officers.

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) and after that, Penalties will be charged for dealy in payment.

Inspection:

As per the section 434 and 435 of U. P Nagar Mahapalika Adhiniyam, 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 do 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.

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 shop will be continued or in process. Prevention of Food Adulteration Act also has provisions to penalize vegetable shop owners having no license.