

RULES AND REGULATIONS GOVERNING LICENSING OF MEAT SHOPS IN VISHAKAPATTANAM

State: Andhra Pradesh

Details of licensing are as follows:

Meat Shops are regulated as per the directions of Hyderabad Municipal Corporation Act 1955 and the Hyderabad Municipal Corporation control of butchers, Bye-Laws 1973. Prevention of food Adulteration act is also applicable.

The Hyderabad Municipal Corporation control of butchers, Bye-Laws 1973 defines butcher as a person who slaughters animals for food or who keeps a shop, shall or uses any place or premises for the sale of meat, head and all other offal of an animal intended for human consumption and includes his servants and workman. For the purpose of this bye-laws, flesh includes entrails, liver head, legs and all other offal.

As per the section 525 of the Hyderabad Municipal Corporation Act 1955, all markets and slaughter houses which belong to or are maintained by the corporation shall be called "municipal markets" or "municipal slaughter houses". So corporation have the power over the slaughter houses. Section 526 says that the commissioner with the authorization of the corporation can establish and maintain municipal slaughter houses for the use of the persons carrying the trade. The slaughter houses can be situated within or with the sanction of the Government, without the city. The commissioner may with the sanction of the corporation at any time be able to close the slaughter houses, if it is situated within the city and if it is situated out side the city, the commissioner with the sanction of the government can close the slaughter houses at any time.

As per the section 521 of Hyderabad Municipal corporation Act 1955, no person shall be allowed to keep in or upon any processes to keep in or upon any article specified in part I of schedule "P" without a license and not in conformity with the conditions of a license granted by the commissioner. The section also prohibits the keeping of articles in part I of Schedule 'P' (schedule annexed to Hyderabad Municipal corporation Act which details about the Licensing) . The sale or for any purpose other than domestic use any article specified in part III of Schedule 'P' is also prohibited. No one can carry any trades or operation connected with trades specified in part IV of the Schedule 'P' and any trade or operation which in the opinion of the commissioner is dangerous to life, health or property or likely to create nuisance. It is worthy here to notice that schedule 'P' is the schedule annexed to the Hyderabad Municipal Corporation Act 1955 which details the trades and storage or keeping of articles which needs license.

The commissioner can grant any license as per the subsection (1) of 521 and can impose restrictions and conditions. He has the power also to withhold any license.

As per section 528, no person shall without a license from the commissioner can sell or expose for sale any animal or article in any municipal market. The commissioner with

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the previous sanction of the corporation by public notice from time to time can prohibit within a distance of hundred years of any municipal market the sale or exposure for sale of all or any of commodities ordinary sold in the municipal market. The notice can at any time be cancelled or modified by the commissioner. Any person contravening the section may be summarily removed by the commissioner / by any municipal officer. Section 545 also says that any animal or article not of a perishable nature and any utensils or vessel seized under the section 543 have to taken before a magistrate and he will provide for the further actions.

As per section 538, no person shall without a license from the commissioner, sell or expose for sale any four-footed animal or any meat or fish intended for human food, in any place other than a municipal or a private market provided that this cannot be applied to fresh fish sold from or exposed for sale in, a vessel in which it has been brought direct after being caught at a river or lake.

Section 545 also says that any animal or article not of a perishable nature and any utensils or vessel seized under the section 543 have to taken before a magistrate and he will provide for the further actions.

The slaughtering must be in accordance with the conditions specified as per section 548 of Hyderabad Municipal Corporation Act 1955.No person can slaughter or procure the slaughtering of any animal for human consumption in a slaughter house without a certificate granted by the veterinary officer showing the fitness for slaughter. The certificate will be granted must be as per the conditions provided in subsection (2). The opinion of the veterinary officer shall be final and cannot be questioned in any court of law except in the cases specially provided. The certificate will be granted in the specified form on the payment of fees prescribed by the corporation. The slaughtering without the certificate is liable for a punishment with imprisonment for a term w2hich may extend to Rs.1000 or with both.

No person shall without or otherwise than in conformity with the terms of a license granted by the commissioner carry on within the city or at any municipal slaughter house, the trade of a butcher and use any place in the city for the sale off flesh if any animal intended for human food or any lace without the city for the sale of flesh for consumption.

License Procedure:

Any person who intends to carry on the trade of a butcher or work within a Municipal Slaughter-house or use any trade of a butcher or work within a Municipal Slaughter-house or use any premises for the sale of meat, shall apply for license to the Commissioner in the form in Annexure 'A' appended to the byelaws. The person must get the trade license application form and trade license fees- self-Assessment form from any e seva center.

Documents Required:

As per byelaw, Every application for license shall be accompanied by a challan in token of payment of the fee and a certificate of physical fitness in form in Annexure 'D' to these bye laws obtained from a registered Medical Practitioner of modern medicine. a copy of the title deed or a copy of the lease deed or any other document enabling the use and occupation of the premises/place attested by a Magistrate or a Gazetted Officer or any other officer authorized by the Commissioner is needed. A blue print plan of the site and building or premises in triplicate duly attested by a licensed surveyor or/the plan shall be drawn to scale of 1 to 100. Two pass-port size ("3x2") photographs of the applicant signed by a Gazetted Officer, a Municipal Councilor, member of Legislative Assembly, and Member of Legislative Council, bearing his signature on the reverse.

As per byelaw, No-objection certificate from veterinary public health authorities, public health authorities, surrounding habitations, Medical fitness certificate of a butcher, rental agreement and two passport size photograph is also needed.

License Processing:

The e-seva centre will send these trade license application forms to the license section and from there it will be forwarded to the veterinary section for verification. The Assistant Director or veterinary officer of the veterinary section will inspect the site. If the trader fulfils all the terms and conditions as per the byelaws, he will be issued a Trade Index Number (T.I.N)

Regulatory Body:

Local body (Vishakapattanam Municipal Corporation) and Andhra Pradesh Pollution Control Board. For slaughter house airport authorities and urban development board is also involved.

Refusal of license:

The Commissioner or any other officer authorized by him in this behalf shall within thirty days after the receipt of an application, either grant or refuse the license. In case of refusal of license, the reason thereof shall be communicated to the applicant in writing in Annexure 'C' to the bye-laws.

License Fees:

As per the section 534, the commissioner can charge for the use of slaughter houses. The commissioner with the approval of standing committee will fix the rent and fees leviable for any period not exceeding on year at a time.

The applicant shall pay into the Municipal Treasury or the Hyderabad State Bank, such license fee as may be fixed under sub-section (2) of Section 622 of the Act. Mere payment of license fee by the applicant shall not entitle the applicant to carry on the business.

As per the RTI Reply, Rs.180/- will be charged for mutton shop and Rs.480 /- is charged for chicken shop.

Period of License: -

Every license shall expire at the end of the financial year for which it is granted unless, for special reasons, the Commissioner considers that it shall expire at an earlier date and fixes such earlier date.

Renewal:

An application for the renewal of license shall be made to the Commissioner in the form in Annexure 'A' to these bye-laws thirty days before the expiry of the license. The application for renewal of license shall be accompanied by a true copy of the license obtained for the previous year. An application for grant or renewal of license shall not be considered unless the applicant has paid all arrears of license fee in respect of the trade or place or premises for the previous year if the had carried on the trade or used the place or premises for the purpose during that period. The fee is same as that of new license. The renewals must be done in April. In case of a belated application for renewal of license, additional fee shall be charged at the following rates:

1. Up to 60 days 25% of the license fees (May and June)
2. Over 60 days 50% of the license fee (July and March)

Form of License: -

Every license granted or renewed under Section 539 of the Act, shall be issued in the form in Appendix 'B' to these bye-laws and shall be subject to the conditions specified therein.

Transfer of License:

No license shall be transferred to another person without the previous sanction of the Commissioner. A fee equivalent to 25% of the license fee shall be charged for each application for transfer of license. The Commissioner may refuse to sanction any transfer for reasons to be recorded in writing and communicated to the applicant.

Refund of license fee: -

Where a license is refused and where no revision petition or appeal against refusal is preferred within one month from the date of such refusal, the applicant will be entitled to a refund of 2/3rd of the fee paid by him, and the same less the Money Order commission shall be remitted to him by Money Order, after expiry of the period of one month, if an appeal against such refusal has been rejected, the refund shall be made immediately. If a license is cancelled, revoked, or suspended, the grantee shall not be

entitled to any refund of license fee paid. No application for refund of license fee will, however, be entertained after a license is granted.

Inspection:

As per section 541, The commissioner can inspect a slaughter house any time, by day or night, without a notice if he have the reason to believe that any animal intended for human food is being slaughtered or that the flesh of any such animal is being sold or exposed for sale, in any place or manner not duly authorised under the provisions of the act or has contravened any provisions of the Act. No claim shall lie against any person for compensation for any damage necessarily caused for the inspection or for the use of any force used under the Act.

As per the section 542 of the act, it shall be the duty of the commissioner to make provision for the constant and vigilant inspection of animals, carcasses, meat flesh, fish, fruit, vegetables etc and any other articles exposed or hawked about for sale or deposited in or brought to any place for the purpose of sale or for preparations for sale and intended for human food.

Act also says that the commissioner may at all reasonable times inspect and examine any animal or article exposed or hawked about for sale or deposited in or brought to any place for the purpose of sale or for preparations for sale and intended for human food and any utensils or vessel used for preparing, manufacturing or containing the same. The commissioner can seize and carry away any animal or article if any animal or article appears to the commssi0ner to be diseased or unsound or unwholesome or unfit for humans consumption, as the case may be or is not up to the standards represented, the ve4ssles or container used found as unfit for human consumption . In order he may dealt with it as provided in the act and he may arrest and take to the nearest police station I charge of any such animal or article.

As per the Hyderabad Municipal Corporation control of butchers, Bye-Laws 1973", All places, premises, shops and stalls used for the sale of meat, offal of an animal intended for human consumption, which are in existence on the date of coming into force of these bye-laws and which do not comply with the provisions of these bye-laws shall do so within sixty days from the date of these bye-laws come into force.

Conditions:

1. Every place intended to be used as a shop or stall for sale of meat shall not have not less than 160 Sq. feet (15.064Sqm.) of covered space and shall conform to the type design showed in Annexure 'E' to these bye-laws
2. The Commissioner shall not grant a license for the use of any place, or premises, for the establishment of a new stall or shop for the sale of meat, head and all other offal of an animal intended for human consumption within a radius of 50 meters of Municipal or private meat market of any existing stall or shop
3. No person shall use any premises or permit any premises to be used for the sale of meat unless such premises are situated at a distance of not less than 100

- metres from the place of nearest human habitation or well or other sources of domestic water supply and unless they are constructed of Masonry drain etc
4. There must be enough facilities for Ventilation, drainage and good water.
 5. The wall must be maintained in good order
 6. The premises must not be used for the purpose of human habitation. No fire or lighting must be done in the premises
 7. Enough measures must be taken for the Prevention of accumulation of fifth.
 8. There must be enough receptacles for refuse matter

Duties of licensee:

A licensee shall follow the following conditions:

1. He must bring the meat of slaughtered animals in a covered vehicle, basket or box from slaughter-house to the shop in good sanitary condition and protected from contamination.
2. The meat must be kept in a noted almirah or box so as to prevent flies, insect, ants or moths from contamination of the flesh
3. He must preserve the portion of meat bearing the stamp affixed in the slaughter-house after test, till the closure of sales for inspection
4. He must Keep the prescribed badge fastened to his arm while selling or slaughtering the animal and affix the license in a glass frame at a conspicuous place in his shop, the premises or stall
5. The boxes, almirah blocks, knives, scales and weights and other articles used in his trade must be kept clean and safe from contamination by dust, dirt or any other substance injurious to health
6. the scales and weights approved by Government must be used for weighing the meat;
7. The licensee must produce the license or badge for inspection whenever required to do so by any municipal Officer authorized by the Commissioner in this behalf
8. He shall not sell or exhibit or keep for sale any meat which is spoiled and rendered unfit for human consumption;
9. He shall not allow any part of his body, except his hands, to come into contact with the meat intended for sale and shall not sell to any customer meat of one animal for another
10. No license shall be granted to a person who is suffering from leprosy, or any loathsome, infections or contagious disease and no licensee shall employ any such person to assist him in carrying on such trade or allow a person suffering from leprosy or any contagious disease to enter any place, premises, stall or shop
11. No licensee shall keep or stable any dog, cattle or other animals in such place, premises, stall or shop
12. Spoiled meat is not allowed to be sold. if meat which is spoiled, injurious to health or unfit for human consumption, is sold or exhibited or kept for sale in any place, premises, stall or shop, the Commissioner or any officer, authorized by him in this behalf may take action in respect of such meat in accordance with the provision of Section 544 of the Act

Penalty:

The breach of any of the provisions of the foregoing bye-laws shall be punishable with fine which may extend to rupees one hundred and in case of a continuing breach with fine which may extend to ten rupees for every day during which the breach continues after conviction for the first breach. The continuity will result in a fine which may extend to rupees ten for every day during which the breach continues after receipt of written notice from the Commissioner or any officer duly authorized in that behalf to discontinue the breach. In addition to the imposition of such fine, be required to remedy the mischief.