

THE LIVELIHOOD REGULATIONS REPORT

JAIPUR



PREPARED BY



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Centre for Civil Society

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PREFACE

The Livelihood regulations report aims at documenting the livelihood regulations and barriers in the informal sector. It was conducted in 63 cities across India where the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) is being implemented. This project was conducted by Centre for Public Policy Research, Cochin in partnership with Centre for Civil Society, New Delhi and is financed by Sir Dorabji Tata Trust (SDTT), Mumbai.

The report aims to unveil the laws applicable to entry-level professions like Auto Rickshaws, Barber Shops, Dhaba's, Meat Shops and mobile/stationary street vegetable/fruit vendors. These documents will effectively draw public attention to the issues faced by the entry-level professions in the informal sectors

Jaipur also popularly known as the *Pink City* is the capital of Rajasthan state, India. Historically rendered as Jeypore, Jaipur is the former capital of the princely state of Jaipur. Founded in 1727 by Maharaja Sawai Jai Singh, the ruler of Amber, the city today has a population of more than 5 million residents.

The district is situated in the eastern part of Rajasthan. Jaipur has a semi-arid climate in spite of receiving more than 50 cm rainfall annually, as the rainfall is concentrated in the monsoon months between June and September. This is due to its proximity to the Thar desert.

As of 2001 India census, Jaipur had a population of 2,324,319. Males constitute 53% of the population and females 47%. In Jaipur, 15% of the population is under 6 years of age.

The present report on the livelihood regulations in Jaipur city covers dhaba, vegetable sellers, auto rickshaw, meat Shop and fruit sellers.

JAIPUR

The selected trades are:

1. **Dhaba**
2. **Vegetable seller**
3. **Auto rickshaw**
4. **Meat Shop**
5. **Fruit Sellers**

Jaipur Nagar Nigam (Municipal Corporation) is regulating all these trades based on the regulations set down by the Rajasthan Municipalities Act, Byelaws framed under the Act and Prevention of Food Adulteration Act 1954. Rajasthan Motor Vehicle Rules and Motor Vehicles Act regulate the city permits for Auto Rickshaws. Trade wise details are as follows:

I.Dhaba:

In Jaipur, dhaba's are the place where we can eat breakfast, lunch and dinner. Here owner of dhaba provide cold drinks, Lassi, sweets, Namkin etc. Food Vendors are those selling eatables and selling it by the use of hand pulling Rickshaw and other type of Thela's. These type of vendors sell *samosa, kachori pakoda, omlette, groundnut, garamchat and dosa* etc. The place is not fixed.

As defined in RTI Reply, dhaba or a food court is a premise where people are provided with meals, snacks, cold drinks, lassi, sweets, etc. Food vendor is a person who sells food products like samosas, kachodis, pokodas etc and does not have a fixed place. They keep moving from place to place with either a pushcart or a basket on the head. Any establishment where people are served food (meals, snacks, tandoori rotis, tea etc.) are usually known as dhaba. They come under the category of restaurant in the Municipal Corporation.

Hotel means and includes any serial musafir khana, lodging house, dharamshala, rest house or any other building or part of a building where lodgers are received and provided with sleeping accommodation with or without food drink and refreshment.

As per the byelaws, Restaurant means and includes or part of a building where food, drink, refreshment, ice creams and ice candles are prepared or kept for sale and shall include dhabas, tandoorwalas, tea and aerated water shops and all other eating houses.

Two kinds of licenses are required for running a dhaba /food court-R.M Act and P.F.A Act 1954. Licenses are also required from the sales department, labour department etc the information regarding which has to be obtained by the applicant.

Licensing Procedures:

As per the Byelaw, No place shall be used as a hotel, restaurant, sweet meat shop or bakery, meat stall or for manufacturing ice or aerated waters without previously obtaining a license from the municipal commissioner on payment of the fees prescribed.

Except in the case of a temporary license, every application for the license must be made to the Municipal commissioner not less than 30 days before the date from which the license applied for is to commence.

The application forms for both the licenses are available at the corporation office and can be obtained on the payment of Rs.5/- The filled up application form has to be submitted along with the required documents to the health departments of related zones. The list of required documents is printed on the application form. After the clearance by the inspection committee, and an assent from the license committee, the adequate fees have to be submitted by the applicant. After all these formalities are completed, the license is issued for the period of a financial year.

Any person using or desiring to use any place for any of these purposes shall apply in writing to the municipal commissioner for a license. The municipal commissioner may in his discretion grant or refuse such license. Where the Municipal commissioner refuse to grant license, he shall give reasons therefore and an appeal shall lie to the Municipal council from such order or refusal.

Departments:

To obtain both the licenses the two offices in concern are the license committee and the specific zone office. In jaipur there are 6 zones.

Documents Needed:

1. Consent sent from both the license authority and health officer is mandatory for the granting of the license.
2. House tax,
3. Proof of ownership/tenancy of the plot or building
4. Specified fees.
5. A letter of declaration of Rs.10
6. Report of a sewer connection,
7. Report of the inspection of health officer
8. House tax, Land owner proof

Validity of License:

No license can be granted for a period exceeding one year and every such license shall be granted so as to expire with an official year (31st of August) provided that a temporary license for a period not exceeding one months may be granted for any special occasion and such license shall expire with the period for which it is granted.

Issue of License and License Fees:

The time limit to issue the license is not prescribed in the act. The time taken depends on the time taken by the committee meetings and the time taken by the applicant to submit fees. After the satisfactory validation of the documents, license is provided without any delay.

Time period is not fixed but after site inspection by the inspector department issue the licence in 15 to 30 days. PFA (Prevention of Food Adulteration Act) license is given within

the duration of 1st January and 30th December and the fee has been fixed at Rs.12 for every license year. Under the Rajasthan Municipalities Act, license is given within the period of a financial year. The fees are as follows-

Category A Rs.2000,

Category B Rs.1500,

Category C Rs.750,

Category D Rs.500.

Renewal of License:

For renewal of P.F.A (Prevention of Food Adulteration Act) license, application has to be made before 1st January and before 1st April for R.M act. As per rules the validity of P.F.A license lasts from 1st January to 31st December and R.M license lasts from 1st April to 31st march.

The application for renewal must be given within 15-30 days before the expiry of the license. Usually renewal doesn't take much time but in case there is a delay due to an unavoidable reason, there is no provision of any action against the authority. Many a times the licensees do not come on time to collect their licenses and it is not possible to send them the licenses by post. Candidate has to apply for renewal in same format of new license before 15 to 30 days of expiry of the last license. Department will be taking no action for the late renewal.

Suspension and Revocation:

The Municipal Commissioner may suspend or revoke any license in respect of any place on grounds of public health or safety or where any of the conditions specified in the license are not being observed. Provided that such suspension or revocation of the license shall not be deemed to exempt the license or any other person from liability to prosecution under these Bye-laws, and provided further that such suspension or revocation shall be made only after an opportunity to given to the license to show cause why the license be not suspended or revoked.

Exemptions:

If the applicant satisfies the Municipal Commissioner that a hotel or restaurant or bakery or sweetmeat shop, or meat stall is opened for a special occasion for a period not exceeding one month, the Municipal Commissioner shall have power to exempt the applicant wholly or partially from the payment of the fee.

Refund:

No refund shall be made of the amount already paid on account of a license except under the Municipal Commissioner's order recorded in writing.

Conditions:

As per the Byelaws, every licensed item shall observe the conditions mentioned. Important among them are:

1. The premises in respect of which the license granted shall be sufficiently spacious and suitable for the purpose of the business intended to be carried on therein
2. There should be enough space for ventilation and lighting
3. Suitable smoke outlets shall be provided and maintaining in good order so that the smoke may not pervade the dwelling rooms, the dining hall or the portion of the premises where customers are served with food or drinks
4. The premises may have water connection from the public Main and such connection and all fitting thereof shall be kept in proper order and efficient action so as to provide for use on the premises.
5. Sufficient supply of water for the purpose of business and for thoroughly washing and cleansing such premises. Only water from this source shall be used for all purposes connected with the business. If water has to be stored, it shall be stored only on in a metallic tank fitted with a append covered at a top with a tight fitting metallic lid of land Placed 4 feet above the ground level where possible for case there is a well, it should conform to sanitary principles.
6. The walls of the premises shall be rendered impervious to Water by cement plastering or otherwise up to a height of 4 feet from the ground level and rest of the said walls shall be plastered and whitewashed hall

As per the Byelaw, following are the conditions for eating-houses:

1. No one shall be allowed to dine in any place other than the dining hall, provided that it shall be permissible for a boarder to dine in his own room
2. There shall be sufficient number of latrines. Every latrine, privy urnal on the premises shall be kept clean and thoroughly disinfected daily and the night soil shall always be covered with ass or earn and removed daily. Where facilities are available, flush latrine should as a rule, be provided
3. Whenever arrangements are made on the premises for broadcasting or for the playing of gramophones with or without pick up and loud speaker arrangements, care shall be taken to prevent and unreasonable amount of noise being cased in the neighborhood so as to occasion annoyance or discomfort to the owners or occupiers of houses in the vicinity
4. The floor of the dining hall and the kitchen must be made of stone, cement or other impervious material and should be so sloped as to allow all liquid to flow off easily by the rain
5. The dining hall and kitchen must be provided with adequate light and ventilation to the satisfaction of the Health Officer. No lamp or any other light shall be used which is likely by reason of its construction or condition to cause smoke or soot

6. Doors, windows and opening of the kitchen and the dining hall must be made from secure from flies and the dirt and protected with efficient chicks and wire gauze to the satisfaction of the Health Officer
7. All cooked food must be kept in such manner that it does not decompose or deteriorate or get poisoned or contaminated from any source whatsoever
8. In case of hotels only, a register shall be maintained in which name and address of all persons using the hotel, the date and time of their arrival and departure and other such information as the Municipal Council may require from time to time shall be entered

Inspection:

The license shall keep in the premises a book, which shall be open to inspection by the president, any municipality councilor, Municipal Commissioner, the Health Officer, or officer of the municipality authorized in writing to inspect the premises. It shall be competent for the President, any Municipal Councilor, the Municipal Commissioner, the Health Officer, Any Sanitary Officer or other Officer of Municipality authorized in writing in behalf by the Municipal Commissioner to enter any place used for any purpose specified in Bye law No.1 between 6 am and 6 pm or at any other time while such place is kept open, for business to inspect the premises, provisions, articles of food or drink, all utensils and furniture on the premises and to take samples of any articles of food or drink manufactured or kept for sale therein. Samples so seized may be subjected to chemical or other examination.

It shall be competent for the President, any Municipal Councilor, the Municipal Commissioner, the Health Officer, Any Sanitary inspector to removed forthwith from such place any article of food or drink which, in his opinion is stale, unwholesome, offensive or unfit for human consumption besides prospering the license for violating the Bye laws.

Whenever the Municipal Commissioner or the health officer is satisfied on personal inspection or on a report of inspection he may instead of recommending the prosecution of the license issued to him in writing such directions, as he may deem necessary for securing proper compliance with these Byelaws. The license shall forthwith comply with such directions.

Timings:

As per Rajasthan Shops and Establishments Act 1958, no establishment on any day can be opened earlier than and closed later the hours prescribed by Government by general or special order. The government will fix the time after making an enquiry in the prescribe manner on the opening and closure of shops and establishments in local area

Penalty:

If candidate does not have valid license, the food inspector of City Medical Health Office make chalan (Penalty) under PFA Act 1954, and the case will be handing over to Magistrate Court. Penalty is one month imprisonment which will be fixed by the magistrate. If candidate does not have any license but follows all the terms and conditions, the inspector authorized by the Municipal Commissioner inspects the site and then the candidate has to apply for license department and then the department will issue the license.

If a trader does not have a license under Rajasthan Municipal Act, then the area health inspector can send a chalan to the court on the name of the violator. There is a provision of incarceration for a month and fine if found working without the Prevention of Food Adulteration Act.

As per Byelaw, Whoever uses any place for any of the purposes mentioned in bye law No.1 above without obtaining a license as required by the said Bye-law or after the license has been revoked or suspended shall be liable on conviction to a fine not exceeding Rs.50/- for the first day of the offence and not exceeding Rs.5 for every succeeding day of the repetition of the offence.

Whoever having been previously convicted of an offence under clause (a) of this Bye-law uses any place for any of the purposes mentioned in Bye-law No.1 without obtaining a license as required by the said Bye-law shall be liable on conviction to a fine not exceeding Rs.100/-

Any infringement of these Bye-laws not provided for in Bye law No.7 or of any of the conditions attached to a license granted under these Bye- laws shall be punishable with a fine not exceeding Rs.50

II Vegetable shop:

For Vegetable sellers, the licenses for hawkers are issued under Rajasthan municipalities Act whereas Secretary, Krishi Upaj Mandy is providing the license only to the vegetable whole seller (big shopkeepers) not retailer or street vegetable hawkers. Krishi Upaj Mandy issues license under the Rajasthan Krishi Upaj Mandi Act, 1963 (Act no.69 and 72),

Licensing Procedures:

To apply for a license, application needs to be made on a specified application form and has to be submitted along with the map of the proposed site after being passed, the specific amount of money has to be submitted after which the officer issues the license. If any problems are found, the applicant is made aware of those which have to be corrected within the specified time failing which the application would be considered null and void.

Issue of License:

The time limit to issue the license is not prescribed in the act. The time taken depends on the time taken by the committee meetings and the time taken by the applicant to submit fees. After the satisfactory validation of the documents, license is provided without any delay.

Time period is not fixed but after site inspection by the inspector department issue the license in 15 to 30 days. Under the Rajasthan Municipalities Act, license is given within the period of a financial year. So Rajasthan Municipalities Act license will be issued within the period of a financial year.

LICENSE FEES:

As per the Municipal Act, Municipal Corporation will charge fees as per the decision. For wholesale sellers, under the Rajasthan Krishi Upaj Mandi Act, 1963 (Act no.69 and 72) the fee is Rs.200/- for this license.

Renewal of License:

The license would be valid only for a year from 1st April to 31st march. License obtained after 1st October the license fee would be half the stipulated amount and those obtained after 1st January would be one-fourth the amount.

The renewal would not be done if the officer has any objection to it. The licensee would be informed about the non-renewal through correspondence. The renewal can be done by 15th April once the license lapses. After that the licensee would have to pay a late fee of 25 paise per day.

As per rules the validity of R.M license lasts from 1st April to 31st march.

Inspection:

As per the Rajasthan Municipalities Act, any person authorized by the health officer or ayukta can enter the place under scrutiny at any time during the office hours and would inspect the premises. It is mandatory for the owner to comply with it.

Timings:

As per Rajasthan Shops and Establishments Act 1958, no establishment on any day can be opened earlier than and closed later the hours prescribed by Government by general or special order. The government will fix the time after making an enquiry in the prescribe manner on the opening and closure of shops and establishments in local area

Conditions:

As per the Byelaws, every licensed item shall observe the conditions mentioned. Important among them are:

1. The premises in respect of which the licence granted shall be sufficiently spacious and suitable for the purpose of the business intended to be carried on therein
2. There should be enough space for ventilation and lighting
3. Suitable smoke outlets shall be provided and maintaining in good order so that the smoke may not pervade the dwelling rooms, the dining hall or the portion of the premises where customers are served with food or drinks
4. The premises may have water connection from the public Main and such connection and all fitting thereof shall be kept in proper order and efficient action so as to provide for use on the premises
5. Sufficient supply of water for the purpose of business and for thoroughly washing and cleansing such premises. Only water from this source shall be used for all

purposes connected with the business. If water has to be stored, it shall be stored only on in a metallic tank fitted with a append covered at a top with a tight fitting metallic lid of land Placed 4 feet above the ground level where possible for case there is a well, it should conform to sanitary principles.

Penalty:

The violators of the provisions of any laws or byelaws will get punishment as per the Rajasthan Municipalities act.

III Auto Rickshaw:

As per Section 66 of Motor Vehicles Act 1988, permit is necessary. Motor Vehicles Act 1988 is the legislative directions towards the issue of permit. License relates to driver whereas permit relates to the control of operation of Motor Vehicle. Permits are issued to ply on certain routes Authorized by the Transport Authorities. The Transport Department Officials is the regulatory authorities for the implementation of Motor Vehicles Act. Permits are issued for the vehicle but license is issued to a person to drive a particular type of vehicle Auto Rickshaws are regulated by the RTO (Regional Transport Office) on the basis of motor Vehicles Act 1988 and Rajasthan Motor Vehicle Rules 1989.

Permit Procedure:-

Every application for the permit has to be made in the form " R.S.5.3" The application shall be made to the State Transport Authority or the Regional Transport officer as the case may be. The application has to be submitted in the office of the Secretary/ Executive Officer and it shall be accompanied by the documents required.

The secretary of the transport authority shall scrutinize the application. If any application is not complete, the applicant shall be required to make the correction. All such applications founds complete shall be entered date wise in a separate register. The secretary shall dispose the application on behalf of the Transport Authority where the powers to deal these has been delegated to him. In case where an application is required to be considered by the Regional Transport authority, the secretary shall submit the application received from 1st to 15th of each month with a factual report regarding correctness of the application, whether the proposed route or area is overlapped or not by nationalised route and all other matters based on the documents submitted by the applicant before 22nd of the same month likewise the complete applications received from 16th to the last date of the month shall be submitted before the Regional transport Authority by the 7th of the next month.

The applications submitted found complete by the State Transport Authority / Regional transport Authority shall be disposed off within two months from the date of receipt. Before rejecting the application the state transport Authority / Regional Transport Authority shall issue a show-cause notice to the applicant to appear before him on the appointed date, place and time, either in person or through authorized representative. After giving him an opportunity of being heard or in case no body appears on the mentioned in the notice, he shall decide the application on the merit. If the application is rejected, reasons for rejecting the application should be given in writing immediately.

In the case of applications Where the number of permit for contract Carriage which was fixed under the Act has been exhausted, the regional transport authority shall notify this

fact on the notice board of its office and may decline to receive any further application for permit in respect of a class of vehicles in the area or on the route aforesaid.

The Secretary / Executive officer State Transport Authority / Regional Transport Authority shall intimate the applicant within seven days from the date of order of the State Transport Authority / Regional transport authority regarding grant or rejection of the application and on receipt of the prescribed obtained form for the permit shall be issued in the prescribed form.

Except in the case of temporary permit, every permits shall be in two portion 'A' and 'B'. One Copy of part A only shall be issued. One copy of Part B shall be issued in respect of every vehicle authorised by the permit and where a permit relates to more than one vehicle each such copy shall carry, in addition to the number of permit a separate serial number contained Brackets after the number of permit. Each such copy shall be sealed and signed by the authority by which the permit is issued and by the authority by which the permit is countersigned.

The holder of a permit shall cause the relevant copy of part 'B' thereof or the Temporary permit, as the case may be, to carried in Glassed Frame or other suitable container in or fixed to the interior of the vehicle in such a way as to maintain it in a clean and legible condition, readily available for inspection at any time by the authorized person

Documents Required:

1. proof of residence
2. In the case of the Scheduled Caste or Scheduled Tribe applicants, the proof in regard of that from a competent authority is also needed
3. A self-addressed envelope for intimation
4. Prescribed fees
5. Registration Certificate
6. Fitness certificate
7. Driver Commercial license
8. Health certificate from any MBBS (Dispensary Doctor) is needed.

Requirements:

1. Driver's Dress(Uniform)
2. Commercial license
3. Registration
4. Fitness certificate
5. Meter
- 6.

Permit Fees :

The fees for permit is Rs.210/-

Renewal procedure: -

As per Section 81 of The Motor vehicles Act 1988 which deals with the duration and renewal of permits, A permit other than a temporary permit issued under section 87 or a special permit issued under sub-section (8) of section 88 shall be effective from the date of issuance or renewal thereof for a period of five years. Provided the counter-signature where the permit is countersigned under sub-section (1) of section 88, shall remain effective

without renewal for such required period so as to synchronise with the validity of the primary permit.

The Act also says that the permit may be renewed on an application made not less than fifteen days before the date of its expiry. Notwithstanding anything contained in sub-section (2), the Regional Transport Authority or the State Transport Authority as the case may be, entertain an application for the renewal of a permit after the last date specified in that sub-section if it is satisfied that the applicant was prevented by good and sufficient cause from making an application within the time specified.

Applicant can renew his permit up to 1st April to 10 April by the remitting the permit renewal fees of Rs.285/- and Fitness renewal fees of Rs.200/- As per the section (4) Of the section 81 of the Motor Vehicles Act 1988, The Regional Transport Authority or the State Transport Authority, as the case may be, may reject an application for the renewal of a permit on one or more of the following grounds, namely:-

1. The financial condition of the applicant as evidenced by insolvency, or decrees for payment of debts remaining unsatisfied for a period of thirty days, prior to the date of consideration of the application;
2. The applicant had been punished twice or more for any of the following offences within twelve months reckoned from fifteen days prior to the date of consideration of the application committed as a result of the operation of a stage carriage service by the applicant, namely:-
 - a. Plying any vehicle without payment of tax due on such vehicle and without payment of tax during the grace period allowed for payment of such tax and then stop the plying of such vehicle or on any unauthorized route;
 - b. Making unauthorized trips:

Provided that in computing the number of punishments for the purpose of clause (b), any punishment stayed by the order of an appellate authority shall not be taken into account: Provided further that no application under this sub-section shall be rejected unless an opportunity of being heard is given to the applicant.

In the case of the permits which has been renewed after the expiry of the period thereof, such renewal shall have effect from the date of such expiry irrespective of whether or not a temporary permit has been granted under clause (d) of section 87, and where a temporary permit has been granted, the fee paid in respect of such temporary permit shall be refused.

Conditions:

As per the Rajasthan Motor Vehicle Rules 1990, the following are the conditions for contract carriage permit:

1. No driver authorized to drive the public service vehicle shall drive the vehicle without written authorization by the permit holder, if he is not himself a permit holder. He should also produce such authority, on demand by the concerned officers who empowered to check the permit.
2. The number of the persons to be carried in the vehicle shall not exceed the number which may be specified in the registration certificate or permit.
3. In case of contract carriage, having seating capacity more than 12 in all, the vehicle shall carry a list of passengers traveling therein in the prescribed form in

respect of each trip and such list shall on demand be produced before the officer of the Transport Department not below the rank of Motor Vehicle Sub- Inspector.

Extension of the area of the validity of permits:

The Regional Transport Authority can extend the area of the validity of the permit to any other region within the Rajasthan and may attach additional conditions. The authority can vary the conditions of the permit in different regions provided always that the vehicle to which the permit refers are normally kept within the region of the regional Transport authority and subject to the provisions of rules and regulations.

The original Transport Authority can issue permit valid in any other region in accordance with any general or special resolution recorded by any other Regional Transport Authority and any permit so issued shall be of like effect in the region of the other transport Authority as if it were issued by the Transport Authority. The original Transport authority may issue a contract carriage permit to be operative in any other region or regions if it attaches a condition to the permit to the effect that the vehicle or vehicles shall only be used beyond the region of the original Transport authority under contract for a return journey commencing and ending within the region of the original Transport Authority and shall not be offered for hire when outside that region.

The original transport authority which issues permit with effect in any other region shall send a copy to the authority of the other region. Nothing in this rule shall effect the right of the holder of any permit to apply to any Regional Authority for countersignature of a permit.

Penalty:

The minimum is 1.5% per month of the permit fees and the Maximum is Rs.200/- If applicant does not collect the permit in 6 month, he has to again pay Rs.210/- If any Auto Rickshaw Driver does not have permit or any essential document, the District Transport Office will punish him in form of Chalan. Minimum penalty is levied, If candidate collect his license within 6 month and after that candidate has to pay Rs.210/- minimum challan fee is Rs.500/- in this matter Regional Transport Officer fix composition amount and maximum fee up to Rs.10,000/- it is depend on situation .

As per Section 192A of The Motor Vehicles Act 1988, using vehicle without permit is punishable. The act says that Whoever drives a motor vehicle or causes or allows a motor vehicle to be used in contravention of the provisions of sub-section (1) of section 66 or in contravention of any condition of a permit relating to the route on which or the area in which or the purpose for which the vehicle may be used, shall be punishable for the first offence with a fine which may extend to five thousand rupees but shall not be less than two thousand rupees and for any subsequent offence with imprisonment which may extend to one year but shall not be less than three months or with fine which may extend lo ten thousand rupees but shall not be less than five thousand rupees or with both. Provided that the court may for reasons to be recorded, impose a lesser punishment. Nothing in this section shall apply to the use of a motor vehicle in an emergency for the conveyance of persons suffering from sickness or injury or for the transport of materials for repair or for the transport of food or materials to relieve distress or of medical supplies for a like purpose: Provided that the person using the vehicle reports about the same to the Regional Transport Authority within seven days from the date of such use.

As per Section 200, any offence whether committed before or after the commencement of this Act punishable section 192, may either before or after the institution of the prosecution, be compounded by such officers or authorities and for such amount as the State Government may, by notification in the Official Gazette, specify in this behalf. As per subsection (2) of section 200, an offence which has been compounded under sub-section (1) the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence.

IV. Meat Shops (slaughter houses)

As per RTI reply, Meat shop is a place where meat is bought and sold. Slaughterhouse is a place where healthy animals are killed, and cut to obtain meat. In Jaipur, Meat shops are the place where meat can be sold and purchased. The Slaughter house is the place where healthy animals (Only sheep and goat) are slaughtered to get meat and skin etc. The Municipal Cooperation (M.C.) has fixed rules, regulations and bye-laws for issue the license. Nagar Palika and Nagar Nigam have fixed rules and regulation under 1959 Act.

As defined by byelaw, Meat stall means and includes any building or a part of a building where meat, flesh or fish is prepared and kept for sale.

As per the byelaws of the corporation, no animals except the sheep and goat shall be slaughtered at a municipal slaughter house. Butchers and others shall have the access to the Municipal Slaughter houses for the purpose of slaughtering animals for sale or private consumption on the conditions herein specified. Only licensed men will be allowed in the slaughter house for the purpose of dressing the carcass. These persons will be provided with a badge once a year by the health officer on the payment of one rupee. A list of such licensed men will be hung up at the slaughter house and a register maintained by the health officer.

Byelaw also states that the private individuals using slaughter houses shall be responsible for the damages caused. No butcher or other person shall remove, deface or alter any seal or brand impressed, or any stamp or seal impressed upon or affixed to any piece of meat.

License Procedure:

For issuing the license candidate have to apply in the specified application form under Municipal Cooperation rules and bye-laws. Municipal Corporation issues licenses on the basis of this application. Bye law says that except in the case of a temporary license, every application for the license must be made to the Municipal commissioner not less than 30 days before the date from which the license applied for is to commence. The Municipal Corporation has fixed rules, regulations and bye-laws for issue the license.

The authorized officer will check the application and verify whether the candidate follow all the condition, rules and regulation and then license will be issued for the applicant. The municipal commissioner may in his discretion grant or refuse such license. Where the Municipal commissioner refuse to grant license, he shall give reasons therefore and an appeal shall lie to the Municipal council from such order or refusal. No license can be granted for a period exceeding one year and every such license shall be granted so as to expire with an official year (31st of August) provided that a temporary license for a period

not exceeding one months may be granted for any special occasion and such license shall expire with the period for which it is granted.

Authority:

Meat license will be issued by the concerned officer or any other officer as authorized by the Jaipur municipal corporation. Animal health Department of the Municipal Corporation and License samithi is involved. The Authorized signatory for the issuing of license is the Commissioner or Authorized Administrative officer.

Documents Required:

1. Ration Card Photocopy.
2. Voter Identity card photo copy.
3. Shop address & lease document.
4. Shop tax receipt.(If owner of shop)

License Fees

The Licences are issued for one year from April to March. Licence fee is 200/- and this fee is deposit in M.C. office cash counter. The fees payable for slaughtering of each animal in a municipal slaughterhouse shall be Rs.1/- for each animal.

Refund of fees:

No refund shall be made of the amount already paid on an account of the license except under the Municipal Commissioner's order in writing

Renewal procedures:

Renewal procedure is the same of new license. The candidate has to follow all the rules and regulation as new candidate. The Renewal fee is also 200/- and candidate have to apply in same licence format. As per Bye laws, A licence granted under the Bye-laws shall be valid for one year only and it may renewed on the Payment of the fee licensing Authority

Timings:

As per Rajasthan Shops and Establishments Act 1958, no establishment on any day can be opened earlier than and closed later the hours prescribed by Government by general or special order. The government will fix the time after making an enquiry in the prescribe manner on the opening and closure of shops and establishments in local area

Inspection:

As per byelaw, the slaughterhouse inspector shall inspect the premises and get satisfied with the health conditions. The carcasses must be given proper care as per the directions in the slaughterhouses. The licensee shall keep in the premises a book, which shall be open to inspection by the president, any municipality councilor, Municipal Commissioner, the Health Officer, or officer of the municipality authorized in writing to inspect the premises. It shall be competent for the President, any Municipal Councilor, the Municipal

Commissioner, the Health Officer, Any Sanitary Officer or other Officer of Municipality authorized in writing in behalf by the Municipal Commissioner to enter any place used for any purpose specified in Bye law No. 1 between 6 am and 6 pm or at any other time while such place is kept open, for business to inspect the premises, provisions, articles of food or drink, all utensils and furniture on the premises and to take samples of any articles of food or drink manufactured or kept for sale therein. Samples so seized may be subjected to chemical or other examination.

It shall be competent for the President, any Municipal Councilor, the Municipal Commissioner, the Health Officer, Any Sanitary inspector to removed forthwith from such place any article of food or drink which, in his opinion is stale, unwholesome, offensive or unfit for human consumption besides prospering the license for violating the Bye laws.

Whenever the Municipal Commissioner or the health officer is satisfied on personal inspection or on a report of inspection he may instead of recommending the prosecution of the license issued to him in writing such directions, as he may deem necessary for securing proper compliance with these Byelaws. The license shall forthwith comply with such directions.

Transfer and Suspension of License:

No license shall be transferable either as regards the person to whom or the place for which it is g The license shall affixed in a conspicuous part of the place to which it pertains with the name and residential address of the licensee fully stated.

The Municipal commissioner may suspend or revoke any license in respect of any place on grounds of public health or safety or where any of the conditions specified in the license. Provided that such suspension or revocation of the license shall not be deemed to exempt the licensee or any other persons from the liability to prosecution under these byelaws and provided further that such suspension or revocation shall be, made only an opportunity is being given to the licensee to show any cause why the license be not suspended or revoked.

Exemptions:

If the municipal commissioner is satisfied of the applicant that a restaurant or meat shop is opened for a special occasion or for a period not exceeding one month, then the municipal commissioner has the power to exempt the applicant wholly or partially from the payment of the fees.

Conditions:

As per the relevant Byelaws, following are the conditions.

1. Animals shall be slaughtered only in the allotted space in the slaughter house and no other
2. No animal shall be slaughtered in a slaughter house except during such hours as may from time to time fixed by the municipal Commissioner and notified in a conspicuous place in the slaughter house
3. Only those who are engaged in the slaughter house and Municipal officers and councilors shall have access to the slaughter houses

4. Every animal intended for slaughtering shall be brought there in the slaughter houses at the prescribed time directed by the municipal commissioner
5. Animals which upon such examination are found to be free from all diseases and fit for human consumption shall be slaughtered in a slaughter house
6. Every animal suspecting any diseases shall not be admitted to the slaughter houses or the premises but shall be kept under observation. The diseased animal brought to the slaughter houses are dealt as per the prescribed directions in the bye laws
7. The accident cases are dealt separately as per the directions
8. The animals eligible for slaughtering is as per the directions in the bye laws
9. The diseased meat is also prohibited and may be dealt with the direction of the Bye law
10. Enough measures to prevent the spreading of blood shall be taken. Enough measures must be taken for cleansing and disposals of refusals and disposals of skins etc which is left at the slaughter houses as provided in the bye law
11. No sales in the premises of slaughter houses shall be promoted in the premises
12. conveyance of meat etc shall be in the prescribed manner in the bye law
13. The diseased person's dogs etc are not allowed in the slaughter houses
14. No person shall make a noise, fight, quarrel etc or use an abusive or obscene language in a slaughter house
15. The removal of carcasses must be before 6.A.M and after 6 P.M from the slaughters
16. No person shall remove or cause to be removed any carcass or meat except in such a way that is screened from public view
17. No sale by auction of any animal intended for slaughter as human food shall be held within the municipal limits except under a license granted by the Municipal Commissioner and subject to such conditions as may be provided therein. The fees for the grant of such animals shall be Rs.3/- for a period ending with 31st August every year
18. No meat or any portion of a carcasses of animal slaughtered outside the limits of the municipality shall be sold within the municipal limits by any person, without the carcasses being first examined by the slaughter house inspector of the municipality and the prescribed fees and whoever is found in possession of, or vending such carcasses , or any portion thereof, in contravention of these provisions shall be liable on conviction on magistrate to a fine not exceeding Rs.50

Penalty:

If any person who has not possess license, then in that condition, the candidate will be punished by authorized officer of the Municipal Corporation under rules and regulation (as chalan).Magistrate can fine not exceeding Rs. 50/- Who ever infringes any of the bye law no. 1,4,18,19,20, etc. shall be punished with a fine not exceeding Rs.20/- The officer will also gives notice to stop his activity in Municipal Corporation area. if candidate is not following the directions of notice then officer will close the Slaughter house and meat shop by the help of administrative police.

The infringement of the prescribed sections as provided in the section 39 of the byelaw shall be punishable with fine not exceeding Rs.20/- for each case. The slaughtering for sale without the previous permission in writing of the health officer any animal at any place within the limits of the municipality other than the slaughter house shall be liable on

conviction before a magistrate to a fine not exceeding Rs.20 /- for every such animal slaughtered together with the amount of fees payable.

Any person using any place for this purpose without license as required by the byelaw or after the license has been revoked or suspended shall be liable on conviction to a fine not exceeding Rs.50 for the first day of offence and not exceeding Rs.5/- for every succeeding day of the repetition of the offence.

Any person commits a breach of the byelaw No.41 (dealing with auction) or any conditions subject to which such license has been granted shall be liable on conviction before a magistrate to a fine not exceeding Rs.10 /- for the first offence and Rs.20 /- for the second and each succeeding offence.

V.Fruit Sellers:

For fruit sellers, the licenses for hawkers are issued under Rajasthan municipalities Act. Details of licensing procedures are as follows:

Licensing Procedures:

To apply for a license, application needs to be made on a specified application form and has to be submitted along with the map of the proposed site after being passed, the specific amount of money has to be submitted after which the officer issues the license. If any problems are found, the applicant is made aware of those which have to be corrected within the specified time failing which the application would be considered null and void.

Issue of License:

The time limit to issue the license is not prescribed in the act. The time taken depends on the time taken by the committee meetings and the time taken by the applicant to submit fees. After the satisfactory validation of the documents, license is provided without any delay.

Time period is not fixed but after site inspection by the inspector department issue the license in 15 to 30 days. Under the Rajasthan Municipalities Act, license is given within the period of a financial year. So Rajasthan Municipalities Act license will be issued within the period of a financial year.

LICENSE FEES:

As per the Municipal Act, Municipal Corporation will charge fees as per the decision.

Renewal of License:

The license would be valid only for a year from 1st April to 31st march. License obtained after 1st October the license fee would be half the stipulated amount and those obtained after 1st January would be one-fourth the amount.

The renewal would not be done if the officer has any objection to it. The licensee would be informed about the non-renewal through correspondence. The renewal can be done by 15th April once the license lapses. After that the licensee would have to pay a late fee of 25

paise per day. As per rules the validity of Rajasthan Municipal Act license lasts from 1st April to 31st march.

Inspection:

As per the Rajasthan Municipalities Act, any person authorized by the health officer or ayukta can enter the place under scrutiny at any time during the office hours and would inspect the premises. It is mandatory for the owner to comply with it.

Timings:

As per Rajasthan Shops and Establishments Act 1958, no establishment on any day can be opened earlier than and closed later the hours prescribed by Government by general or special order. The government will fix the time after making an enquiry in the prescribe manner on the opening and closure of shops and establishments in local area

Conditions:

As per the Byelaws, every licensed item shall observe the conditions mentioned. Important among them are:

1. The premises in respect of which the license granted shall be sufficiently spacious and suitable for the purpose of the business intended to be carried on therein.
2. There should be enough space for ventilation and lighting.
3. Suitable smoke outlets shall be provided and maintaining in good order so that the smoke may not pervade the dwelling rooms, the dining hall or the portion of the premises where customers are served with food or drinks.
4. The premises may have water connection from the public Main and such connection and all fitting thereof shall be kept in proper order and efficient action so as to provide for use on the premises.
5. Sufficient supply of water for the purpose of business and for thoroughly washing and cleansing such premises.
6. Only water from this source shall be used for all purposes connected with the business. If water has to be stored, it shall be stored only on in a metallic tank fitted with a append covered at a top with a tight fitting metallic lid of land Placed 4 feet above the ground level where possible for case there is a well, it should conform to sanitary principles.

Penalty:

The violators of the provisions of any laws or byelaws will get punishment as per the Rajasthan Municipalities act.

FINDINGS FROM THE STUDY

General Findings:

1. Jaipur Nagar Nigam (Municipal Corporation) is regulating all these trades based on the regulations set down by the Rajasthan Municipalities Act, Byelaws framed under the Act and Prevention of Food Adulteration Act 1954. Rajasthan Motor Vehicle Rules and Motor Vehicles Act regulates the city permits for Auto Rickshaws.

Dhaba:

1. In Jaipur, dhabas are the place where persons can eat breakfast, lunch and dinner. Here owner of Dhaba provide *cold drinks, lassi, sweets, namkin* etc
2. Food Vendors are those selling eatables and selling it by the use of hand pulling Ricksh and other type of Thelas. These type of vendors sell *samosa, kachori pakoda, omlet, groundnut, gramchat and dosa* etc. The place is not fixed.
3. As defined in RTI Reply, dhaba or a food court is a premise where people are provided with meals, snacks, cold drinks, lassi, sweets etc. food vendor is a person who sells food products like *samosa, kachoripokoda* etc and does not have a fixed place. They keep moving from place to place with either a pushcart or a basket on the head. Any establishment where people are served food, (*meals, snacks, tandoori rotis, tea* etc.) are usually known as dhaba. They come under the category of restaurant in the Municipal Corporation
4. Hotel means and includes any serial musafir khana, lodging house, dharamshala, rest house or any other building or part of a building where lodgers are received and provided with sleeping accommodation with or without food drink and refreshment.
5. As per the byelaws, Restaurant means and includes or part of a building where food, drink, refreshment, ice creams and ice candles are prepared or kept for sale and shall include dhabas, tandoorwalas, tea and aerated water shops and all other eating houses
6. Two kinds of licenses are required for running a dhaba /food court-R.M Act and Prevention of Food Adulteration Act 1954. Licenses are also required from the sales department, labour department etc the information regarding which has to be obtained by the applicant
7. As per the Byelaw, No place shall be used as a hotel, restaurant, sweet meat shop or bakery, meat stall or for manufacturing ice or aerated waters without previously obtaining a license therefore from the municipal commissioner, on payment of the fees prescribed therefore
8. Except in the case of a temporary license, every application for the license must be made to the Municipal commissioner not less than 30 days before the date from which the license applied for is to commence
9. The application forms for both the licenses are available at the corporation office and can be obtained on the payment of Rs.5. The filled up application form has to be submitted along with the required documents to the health departments of related zones. The list of required documents is printed on the application form. After the clearance by the inspection committee, and an assent from the license committee, the adequate fees have to be submitted by the applicant. After all these formalities are completed, the license is issued for the period of a financial year
10. Any person using or desiring to use any place for any of these purposes shall apply in writing to the municipal commissioner for a license

11. The municipal commissioner may in his discretion grant or refuse such license. Where the Municipal commissioner refuse to grant license, he shall give reasons therefore and an appeal shall lie to the Municipal council from such order or refusal.
12. To obtain both the licenses the two offices in concern are the license committee and the specific zone office. In jaipur there are 6 zones
13. No license can be granted for a period exceeding one year and every such license shall be granted so as to expire with an official year (31st of August) provided that a temporary license for a period not exceeding one months may be granted for any special occasion and such license shall expire with the period for which it is granted
14. The time limit to issue the license is not prescribed in the act. The time taken depends on the time taken by the committee meetings and the time taken by the applicant to submit fees. After the satisfactory validation of the documents, license is provided without any delay
15. Time period is not fixed but after site inspection by the inspector department issue the licence in 15 to 30 days. PFA (Prevention of Food Adulteration Act) license is given within the duration of 1st January and 30th December and the fee has been fixed at Rs.12 for every license year. Under the Rajasthan Municipalities Act, license is given within the period of a financial year
16. For renewal of P.F.A (Prevention of Food Adulteration Act) license, application has to be made before 1st January and before 1st April for R.M act. As per rules the validity of P.F.A license lasts from 1st January to 31st December and R.M license lasts from 1st April to 31st march
17. The application for renewal must be given within 15-30 days before the expiry of the license
18. The Municipal Commissioner may suspend or revoke any license in respect of any place on grounds of public health or safety or where any of the conditions specified in the license are not being observed
19. If the applicant satisfies the Municipal Commissioner that a hotel or restaurant or bakery or sweetmeat shop, or meat stall is opened for a special occasion for a period not exceeding one month, the Municipal Commissioner shall have power to exempt the applicant wholly or partially from the payment of the fee
20. No refund shall be made of the amount already paid on account of a license except under the Municipal Commissioner's order recorded in writing
21. As per the Byelaws, every licensed item shall observe the conditions mentioned in the Byelaws
22. The license shall keep in the premises a book, which shall be open to inspection by the president, any municipality councilor, Municipal Commissioner, the Health Officer, or officer of the municipality authorized in writing to inspect the premises
23. It shall be competent for the President, any Municipal Councilor, the Municipal Commissioner, the Health Officer, Any Sanitary Officer or other Officer of Municipality authorized in writing in behalf by the Municipal Commissioner to enter any place used for any purpose specified in Bye law No. 1 between 6 am and 6 pm or at any other time while such place is kept open, for business to inspect the premises, provisions, articles of food or drink, all utensils and furniture on the premises and to take samples of any articles of food or drink manufactured or kept for sale therein. Samples so seized may be subjected to chemical or other examination
24. It shall be competent for the President, any Municipal Councilor, the Municipal Commissioner, the Health Officer, Any Sanitary inspector to removed forthwith from such place any article of food or drink which, in his opinion is stale, unwholesome, offensive or unfit for human consumption besides prospering the license for

violating the Bye laws. Whenever the Municipal Commissioner or the health officer is satisfied on personal inspection or on a report of inspection he may instead of recommending the prosecution of the license issued to him in writing such directions, as he may deem necessary for securing proper compliance with these Byelaws. The license shall forthwith comply with such directions

25. .If candidate does not have valid license, the food inspector of City Medical Health Office make chalan (Penalty) under PFA Act. 1954, and the case will be handing over to Magistrate Court. Penalty is the magistrate will fix one-month imprisonment .The amount. If candidate does not have any license but follows all the terms and conditions, the inspector authorized by the Municipal Commissioner inspects the site and then the candidate has to apply for license department and then the department will issue the license
26. If a trader does not have a license under Rajasthan Municipal Act, then the area health inspector can send a chalan to the court on the name of the violator. There is a provision of incarceration for a month and fine if found working without the P.F.A act
27. As per Byelaw, Whoever uses any place for any of the purposes mentioned in Bye – law No. 1 above without obtaining a license as required by the said Bye-law or after the license has been revoked or suspended shall be liable on conviction to a fine not exceeding Rs.50 for the first day of the offence and not exceeding Rs.5 for every succeeding day of the repetition of the offence
28. Whoever having been previously convicted of an offence under clause (a) of this Bye-law uses any place for any of the purposes mentioned in Bye-law No. 1 without obtaining a license as required by the said Bye-law shall be liable on conviction to a fine not exceeding Rs.100/-
29. Any infringement of these Bye-laws not provided for in Bye – law No. 7 or of any of the conditions attached to a license granted under these Bye- laws shall be punishable with a fine not exceeding Rs.50

Vegetable shop and Fruit sellers :

1. For Vegetable sellers and Fruit sellers The licenses for hawkers are issued under Rajasthan municipalities Act
2. Secretary, Krishi Upaj Mandy is providing the license only to the vegetable whole seller (big shopkeepers) not retailer or street vegetable hawkers. Krishi Upaj Mandy issues license under the Rajasthan Krishi Upaj Mandi Act, 1963 (Act no.69 and 72),
3. To apply for a license, application needs to be made on a specified application form which can be obtained for 50 paise from the municipal corporation office and has to be submitted along with the map of the proposed site after being passed, the specific amount of money has to be submitted after which the officer issues the license
4. If any problems are found, the applicant is made aware of those which have to be corrected within the specified time failing which the application would be considered null and void
5. The time taken to issue the license depends on the time taken by the committee meetings and the time taken by the applicant to submit fees. After the satisfactory validation of the documents, license is provided without any delay
6. The license would be valid only for a year from 1st April to 31st march
7. License obtained after 1st October the license fee would be half the stipulated amount and those obtained after 1st January would be one-fourth the amount
8. The renewal would not be done if the officer has any objection to it

9. As per the Rajasthan Municipalities Act, any person authorized by the health officer or ayukta can enter the place under scrutiny at any time during the office hours and would inspect the premises. It is mandatory for the owner to comply with it
10. The violators of the provisions of any laws or byelaws will get punishment as per the Rajasthan Municipalities act

Auto Rickshaw:

1. Auto Rickshaws are regulated by Rajasthan Motor Vehicle Rules and Motor Vehicles Act 1988
2. Motor Vehicles Act 1988 is the legislative directions towards the issue of permit. License relates to driver whereas permit relates to the control of operation of Motor Vehicle. Permits are issued to ply on certain routes Authorized by the Transport Authorities
3. As per Section 66 of Motor Vehicles Act, 1988, permit is necessary
4. License is needed for a driver whereas permit is need for a vehicle
5. A taximeter is to be attached with the vehicle
6. The Transport Officials are the regulatory authorities for the implementation of Motor Vehicles Act. Regional transport Authority or the secretary of regional transport Authority deals with the issue of permits
7. Permits are issued for the vehicle but license is issued to a person to drive a particular type of vehicle
8. An amount of Rs.2000/- will be collected as Compounding fees for vehicles without Permit. Transport Vehicles plying without Permit will be ceased and detained
9. The permit is subject to all rules relating to permits under the Motor Vehicles Act, 1988 and in force for the time being
10. Except in the case of temporary permit, every permits shall be in two portion 'A' and 'B'. One Copy of part A only shall be issued. One copy of Part B shall be issued in respect of every vehicle authorized by the permit and where a permit relates to more than one vehicle each such copy shall carry, in addition to the number of permit a separate serial number contained Brackets after the number of permit. Each such copy shall be sealed and signed by the authority by which the permit is issued and by the authority by which the permit is countersigned
11. The holder of a permit shall cause the relevant copy of part 'B' thereof or the Temporary permit, as the case may be, to carried in Glassed Frame or other suitable container in or fixed to the interior of the vehicle in such a way as to maintain it in a clean and legible condition, readily available for inspection at any time by the authorized person
12. proof of residence , self-addressed envelope for intimation , Prescribed fees, Registration Certificate, Fitness certificate, Driver Commercial license and In the case of the Scheduled Caste or Scheduled Tribe applicants, the proof in regard of that from a competent authority is also needed
13. permit may be renewed on an application made not less than fifteen days before the date of its expiry
14. Applicant can renew his permit up to 1st April to 10 April by the remitting the permit renewal fees of Rs. 285/- and Fitness renewal fees of Rs.200
15. In the case of the permits which has been renewed after the expiry of the period thereof, such renewal shall have effect from the date of such expiry irrespective of whether or not a temporary permit has been granted under clause (d) of section 87, and where a temporary permit has been granted, the fee paid in respect of such temporary permit shall be refused

16. As per the Rajasthan Motor Vehicle Rules 1990, the following are the conditions for contract carriage permit:
17. No driver authorized to drive the public service vehicle shall drive the vehicle without written authorization by the permit holder, if he is not himself a permit holder. He should also produce such authority, on demand by the concerned officers who empowered to check the permit
18. The number of the persons to be carried in the vehicle shall not exceed the number which may be specified in the registration certificate or permit
19. In case of contract carriage, having seating capacity more than 12 in all, the vehicle shall carry a list of passengers traveling therein in the prescribed form in respect of each trip and such list shall on demand be produced before the officer of the Transport Department not below the rank of Motor Vehicle Sub- Inspector
20. The minimum is 1.5% per month of the permit fees and the Maximum is Rs.200/- If applicant does not collect the permit in 6 month he have to again pay Rs.210. If any Auto Rickshaw Driver does not have permit or any essential document, the District Transport Office will punish him in form of Chalan. Minimum penalty is levied, If candidate collect his license within 6 month and after that candidate has to pay Rs.210/- minimum challan fee is Rs.500/- in this matter Regional Transport Officer fix composition amount and maximum fee up to Rs.10,000/- it is depend on situation

Meat Shops (slaughter houses)

1. As per RTI reply, Meat shop is a place where meat is bought and sold. Slaughterhouse is a place where healthy animals are killed, and cut to obtain meat. In Jaipur, Meat shops are the place where meat can be sold and purchased
2. The slaughter house is the place where healthy animals (Only sheep and goat) is slaughtered to get meat and skin etc. The Municipal Cooperation (M.C.) has fixed rules, regulations and bye-laws for issue the license. Nagar Palika and Nagar Nigam has fixed rules and regulation under 1959 Act
3. As defined by byelaw, Meat stall means and includes any building or a part of a building where meat, flesh or fish is prepared and kept for sale
4. As per the byelaws of the corporation, No animals except the sheep and goat shall be slaughtered at a municipal slaughter house. Butchers and others shall have the access to the Municipal – Slaughter houses for the purpose of slaughtering animals for sale or private consumption on the conditions herein specified. Only licensed men will be allowed in the slaughter house for the purpose of dressing the carcass. These persons will be provided with a badge once a year by the health officer on the payment of one rupee. A list of such licensed men will be hung up at the slaughter house and a register maintained by the health officer
5. Byelaw states that the private individuals using slaughter houses shall be responsible for the damages caused. No butcher or other person shall remove, deface or alter any seal or brand impressed, or any stamp or seal impressed upon or affixed to any piece of meat
6. For issuing the license candidate have to apply in the specified application form under Municipal Cooperation rules and bye-laws. Municipal corporation issues licenses on the basis of this application

7. Bye law says that Except in the case of a temporary license, every application for the license must be made to the Municipal commissioner not less than 30 days before the date from which the license applied for is to commence. The Municipal Corporation has fixed rules, regulations and bye-laws for issue the license
8. The authorized officer will check the application and verify whether the candidate follow all the condition, rules and regulation and then license will be issue for applicant
9. The municipal commissioner may in his discretion grant or refuse such license. Where the Municipal commissioner refuse to grant license, he shall give reasons therefore and an appeal shall lie to the Municipal council from such order or refusal
10. No license can be granted for a period exceeding one year and every such license shall be granted so as to expire with an official year (31st of August) provided that a temporary license for a period not exceeding one months may be granted for any special occasion and such license shall expire with the period for which it is granted
11. Meat license will be issued by the concerned officer or any other officer as authorized by the Jaipur municipal corporation. Animal health Department of Municipal Corporation and License samithi. The Authorized signatory for issuing the license Commissioner or Authorized Administrative officer
12. No refund shall be made of the amount already paid on an account of the license except under the Municipal Commissioner's order in writing
13. Renewal procedure is the same of new license. The candidate has to follow all the rules and regulation as new candidate. The Renewal fee is also 200/- and candidate have to apply in same license format
14. As per Bye laws, a license granted under the Bye-laws shall be valid for one year only and it may renewed on the Payment of the fee licensing Authority
15. As per Rajasthan Shops and Establishments Act 1958, no establishment on any day can be opened earlier than and closed later the hours prescribed by Government by general or special order. The government will fix the time after making an enquiry in the prescribe manner on the opening and closure of shops and establishments in local area
16. As per byelaw, The slaughterhouse inspector shall inspect the premises and get satisfied with the health conditions. The carcasses must be given proper care as per the directions in the slaughterhouses
17. The licensee shall keep in the premises a book, which shall be open to inspection by the president, any municipality councilor, Municipal Commissioner, the Health Officer, or officer of the municipality authorized in writing to inspect the premises. It shall be competent for the President, any Municipal Councilor, the Municipal Commissioner, the Health Officer, Any Sanitary Officer or other Officer of Municipality authorized in writing in behalf by the Municipal Commissioner to enter any place used for any purpose specified in Bye law No. 1 between 6 am and 6 pm or at any other time while such place is kept open, for business to inspect the premises, provisions, articles of food or drink, all utensils and furniture on the

premises and to take samples of any articles of food or drink manufactured or kept for sale therein. Samples so seized may be subjected to chemical or other examination

18. It shall be competent for the President, any Municipal Councilor, the Municipal Commissioner, the Health Officer, Any Sanitary inspector to removed forthwith from such place any article of food or drink which, in his opinion is stale, unwholesome, offensive or unfit for human consumption besides prospering the license for violating the Bye laws
19. Whenever the Municipal Commissioner or the health officer is satisfied on personal inspection or on a report of inspection he may instead of recommending the prosecution of the license issued to him in writing such directions, as he may deem necessary for securing proper compliance with these Byelaws. The license shall forthwith comply with such directions
20. No license shall be transferable either as regards the person to whom or the place for which it is g The license shall affixed in a conspicuous part of the place to which it pertains with the name and residential address of the licensee fully stated
21. The Municipal commissioner may suspend or revoke any license in respect of any place on grounds of public health or safety or where any of the conditions specified in the license. Provided that such suspension or revocation of the license shall not be deemed to exempt the licensee or any other persons from the liability to prosecution under these byelaws and provided further that such suspension or revocation shall be, made only an opportunity is being given to the licensee to show any cause why the license be not suspended or revoked
22. If any person who has not possess license, then in that condition, the candidate will be punished by authorized officer of the Municipal Corporation under rules and regulation (as chalan).Magistrate can fine not exceeding Rs.50/- Who ever infringes any of the bye law no. 1,4,18,19,20, etc. shall be punished with a fine not exceeding Rs.20/- The officer will also gives notice to stop his activity in Municipal Corporation area. if candidate is not following the directions of notice then officer will close the Slaughter house and meat shop by the help of administrative police
23. The infringement of the prescribed sections as provided in the section 39 of the byelaw shall be punishable with fine not exceeding Rs.20/- for each case. The slaughtering for sale without the previous permission in writing of the health officer any animal at any place within the limits of the municipality other than the slaughter house shall be liable on conviction before a magistrate to a fine not exceeding Rs.20 for every such animal slaughtered together with the amount of fees payable
24. Any person using any place for this purpose without license as required by the byelaw or after the license has been revoked or suspended shall be liable on conviction to a fine not exceeding Rs.50 for the first day of offence and not exceeding Rs.5/- for every succeeding day of the repletion of the offence
25. Any person commits a breach of the bye law no .41 (dealing with auction) or any conditions subject to which such license has been granted shall be liable on conviction before a magistrate to a fine not exceeding Rs.10 /- for the first offence and Rs.20 /- for the second and each succeeding offence

26. If the applicant satisfied the municipal commissioner that a restaurant or meat shop is opened for a special occasion or for a period not exceeding one month. The municipal commissioner have the power to exempt the applicant wholly or partially from the payment of the fees
27. As per the relevant Byelaws, licensee are supposed to follow the conditions mentioned