

RULES AND REGULATIONS GOVERNING THE LICENSING OF VEGETABLE VENDORS IN DELHI

State: New Delhi

Details of licensing procedures are as follows:

Vegetable Vendors are regulated by the Delhi Municipal Corporation Act 1957 and Prevention of Food Adulteration Act 1954 whereas the timings are fixed by Delhi shops and Establishments Act. Trade license is required and is governed by the Municipal Corporation of Delhi.

As per section 417, No person shall use or permit to be used any premises for any of the purposes listed in schedule without a license or otherwise than in conformity with the terms of a license granted by the Commissioner .

Section 420 says that No person shall, without or otherwise than in conformity with the terms of a license granted by the Commissioner can hawk or expose for sale in any place any article whatsoever whether it be for human consumption or not.

The eleventh schedule of the Delhi Municipal Corporation act 1957 specifies a list of items for which the premises may not be used without a license. The licensing and Enforcement Department of MCD issues a general Trade license under the section 417 of the DMC Act. Apart from the General Trade license, MCD'S health department also issues license for the shops dealing in eatables or other commodities. The MCD issues license after the trade has started.

As per the information provided by the Municipal Corporation of Delhi, the license needed for Vegetable vendor is the health trade license.

Municipal Corporation of Delhi has included any vehicle selling eatables in the hawkers list. So vegetables are also in the hawker's list. All the hawking articles meant for eatables are also classified as one of the trade under the health trade license. So vegetable sellers have the same procedures like dhaba except the license fees.

The procedure is as follows:

Licensing Procedure:

An application for a trade license can be made either at a Citizen's service Bureaus (CSB) or through the internet. In the case of the submission through internet, the applicant can submit the necessary documents at any of the CSB's after marking the document with the unique acknowledgement number allotted to his application on the internet. The application can be submitted in any of the 12 MCD zonal offices also.

For getting a new Health Trade License from the nearest CSB, you need to submit an application form at the CSB which is available at the CSB for Rs.25/- You can also download a form available on our web site and use it for this purpose.

After submitting the application with the necessary documents, the operator will feed in your details to the computer. You will have to pay processing fees, subsequently a G8 receipt shall be given to you. This G8 receipt will contain the unique "Registration number" which you must remember and quote for further processing. Subsequent to this a License Inspector will visit your site for inspection. Once the inspection and approval is complete you will receive an E-mail or letter notifying you about the same.

You should now approach the CSB again and quote the "Registration number" given to you in step 3. The operator will search for your details in the database using this number. If your details are present, the operator will print the Health Trade License for you and cut a G8 receipt. Pay the license fees and processing charges to the operator. Then the Health Trade license will be signed by the MCD officials.

Documents required:

1. Copy of sanction plan/ completion certificate / structure safety certificate from registered architect.
2. Site Plan
3. Key Plan
4. Water connection and sewer connection
5. Indemnity Bond for Rs.100/-
6. Affidavit for Rs.10/-
7. Copy of partnership deed if any
(Health trade FAQ- <http://www.mcdonline.gov.in/>)

Departments Involved:

As per the RTI reply, The departments involved are public health, Veterinary services and ADC(HQ)

License Fees:

An amount of Rs.100/- per application will be collected as processing charges and Rs.100 will be charged as the license fees. In regard to the fees for license processing, Rs.250 will be collected as the Processing at the time of acceptance of application form for issue of New License.

License Processing:

As per the RTI reply, it is stated that the time prescribed in law for procuring each license is 30 days at the Zonal level and at head quarters level, the stipulated time is for the grant of license is 45 days.

Cancellation:

The commissioner may at any time cancel or suspend any license granted if he is of the opinion that the premises covered thereby are not kept in conformity with the conditions of such license or with the provisions of any bye-law made in this behalf whether the license is prosecuted under this Act or not.

License Renewal:

As per the act, every such license shall expire at the end of the *year* for which it is granted or at such earlier date as the commissioner may, for special reasons, specify in the license.

Usually the licenses must be renewed in every year. Licenses renewed are valid up to 31st march. The renewals are happening in the month of April. The fees are same as that of new license. If a license is renewed between 1st march & 30th April, there are no late fees. If the license is renewed after 30th April, the late fee charge will be charged as 5% of the fees per month. If it is renewed after 1 year, then the late fee charge of actual license fee for each year or part there of shall be paid

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Documents Required for the renewal of license:

1. Original License copy
2. Any other documents, if asked for

Amendment and issue of Duplicate License:

All type of amendment applications are processed similar to the issue of new licenses except the issue of duplicate license. This will be processed from any of the Citizens Service Bureau. For a change in the constitution, a full fee which is similar to the new license except the processing charge will be collected.

A duplicate license will be issued on payment of Rs.100/- towards processing charges and on submission of the required documents when the original was lost, mutilated, destroyed etc. A fresh license with a new license number will be issued and the all license will be cancelled. For the duplicate license 'DUPLICATE' will be written on the top of the license.

Rs.250 will be charged as the fees for the Amendment and Renewal of license. In addition there will be a service charge of Rs.5/-

Rs.100 will be charged as the fees for the issue of duplicate license. In addition there will be a service charge of Rs.5/-

Operation Timings:

As per the Delhi Shops and establishments Act, 1954, no shops can be opened earlier than such hour or closed later than such hour as may be fixed by the State government By a general or a special order. Provided that any customer who was being served or was waiting to be served in any shop or commercial establishment at the closing hours so fixed may be served during the period of fifteen minutes immediately following such hour. Before making an order, the government shall hold an inquiry in such manner as may be prescribed. The government may fix different opening hours and different closing hour for different classes of shops or for different areas or for different times of the year.

Documents Required For A Duplicate License:

1. First Information Report (FIR)
2. Indemnity Bond in prescribed format.

Collection of Trade License:

The trade license will be issued by hand to the citizen at the CSB or couriered to the address requested by the citizen.

Penalty:

As per the RTI reply, prosecution action will be taken against the defaulters as per the Delhi Municipal Corporation Act under section 421, 422 and 423 which even includes the sealing of the premises