

THE LIVELIHOOD REGULATIONS REPORT

LUDHIANA



PREPARED BY



Centre for
Public Policy Research

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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.

Ludhiana is a city and a municipal corporation in Ludhiana district in the Indian state of Punjab. It is the largest city in Punjab, with an estimated population of 1.4 million. The population increases substantially during the crop harvesting season due to immigration of laborers from states like Uttar Pradesh, Bihar and Delhi. It has an area of about 310 km². The city stands on the Sutlej River's old bank, 13 km south of its present course.

Ludhiana is centrally located on the National Highway 1 from Delhi to Amritsar, and is connected to the Indian capital city of New Delhi by road and frequent train service. It is a major industrial center of northern India.

As of 2001 India census, Ludhiana City had a population of 1,395,053. Males constitute 57% of the population and females 43%. Ludhiana has an average literacy rate of 70%, higher than the national average of 59.5%: In Ludhiana, 12% of the population is under 6 years of age. Sikhism is the predominant religion in the city, while Hinduism and Islam are major minority religions. Before partition there was a large population of Muslim residents, but had to leave because of high scale violence in the area. There is a city called Kila Raipur dominated by Jat Grewal Sikhs which is famous place for majority of the attacks in Ludhiana during Partition.

The present report of the livelihood regulations in Ludhiana covers dhaba, vegetable sellers, cycle rickshaws, barber shops and meat Shops.

LUDHIANA

The sectors chosen for the study are:

- 1. Dhabha / food courts.**
- 2. Vegetable/Fruit/Flower Sellers**
- 3. Cycle Rickshaw**
- 4. Meat Shop**
- 5. Barber shop**

The trades in Ludhiana are regulated by Municipal Corporation of Ludhiana as per the section 343 of Punjab municipal corporation act, 1976. Municipal Corporation issues licenses under 343(1) (B) for establishment of various trades. For food and eatable articles, the licenses are issued by Chief Medical Officer under PFA act of 1954.

I.DHABA

In ludhiana, dhabas are considered as the place or shop where many persons are engaged in the preparation of food. This can be vegetarian or Non vegetarian. They charge the fixed cost of prepared food depends on the variety of food. It is established under license issued by corporation under the provisions of U/S 343 of Punjab Municipal Corporation Act, 1976.

Licensing procedure:

The person has to apply in the prescribed form which is available from corporation free of cost .and the person will have to get the NO-Objection certificate from neighbours as well as M.T.P (Municipal Town planning department) , Fire Brigade, House tax and WSSA departments(Water Supply and Sewage Department).

No –Objection certificates:

No –Objection certificate from M.T.P:

For a commercial establishment, a building plan is required to be sanctioned from Municipal Corporation and before occupation and to start commercial business, a completion certificate as per u/s 272(2) of PMC Act 1976 is required.

Before issuing the N.O.C, the site inspection will be conducted by the area building inspector. The status of building, sanction of the building plan, fees paid etc. will be checked by the area building inspector at the time of inspection. The N.O.C's pertaining to the electric connections to the commercial establishments are issued by the Assistant Town Planner within one week, though there is no time schedule. There is no fixed validity period for the NOC'S and the state Electric city Board checks the NOC issued by corporation before issuing electric connection. There is no prescribed Performa for N.O.C. After issuing the NOC, no physical verification is done.

Before issuing the N.O.C, the following documents must be submitted:

1. Sale deed in support of the ownership.
2. Sanctioned building plan/receipt of composition fee paid in respect of the building for which NOC is required, if it newly constructed.
3. Before issuing N.O.C., Rs.1000/-as the prescribed fee is realized.

No –Objection certificate from Fire Brigade:

The No –Objection certificate from Fire Brigade is issued as per the provisions of ISI-2190. (Indian Standard Industries rules). A Building Plan must be submitted in advance and no need to pay any fees for this NO-Objection Certificate. The Premises will be verified physically as per the Guidelines of ISI and National Building Code. In Ludhiana, the employed officers will do the physical verification as per the rules of ISI. The Requirement of premise is as per the ISI and N.B.C. provisions. 7-10 days are required to issue N.O.C. The Validity of N.O.C is one year. After issuing the N.O.C, the premise will be checked by the department once in a year.

No –Objection certificate from Neighbours:

It is collected from the neighbours in the shape of their signatures with complete address in prescribed Performa. It must be minimum five or above

No –Objection certificate from House tax:

Nothing due Certificate to certify that the applicant have no house tax standing unpaid on the property is required. This copy will be sent to the applicant too. After that process, the department will check the records and N.O.C will be given accordingly.

No –Objection certificate from Water Supply and Sewage Department:

All the consumers who have the approved connection of water and sewage can get the No Objection Certificate by simply applying on a paper in application and attached copy of water and sewage bill at any time. No charges are taken from the applicant by the department for issuing it. Before issuing the certificate, the account is checked by the assistant engineer/field staff at the zonal office. On the basis of documents, No –Objection Certificate is issued.

Documents Required:

1. Filled form
2. No Objection Certificate from neighbours, Municipal Town Planners, Fire Brigade, House Tax and Water Supply and Sewage Department.

Verification:

The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbours.

Regulatory body:

Municipal Corporation.

License Fees:

The fee is as prescribed by the Ludhiana Municipal Corporation. It is Rs. 350/- upto 31st march

Fees Remittance:

The fees remittance can be done in the license department itself by chalan form/ cash

Processing time:

One month

Issue of License:

The License will be issued after the submission of documents and after completing the formalities from the license inspector, reports from Municipal town planners and fire brigade

License Duration:

One year.

License Renewal:

The person has to submit the filled form and has to produce the previous license receipt. The fees are equal to new license. But in the month of March, it will be 10% less, and from April to June, it will be 25% and July to September 50% and from October 100% penalty will be charged. The applicant does not have to submit again the No-Objection Certificate. The processing time is generally 15 to 20 days. Persons who get licenses renewed before 30th March shall be allowed rebate of 10% in license fees.

Other Formalities:

1. The license is to be checked by the staff of licensing department.
2. Blank copy of license can not be provided .It will be provided only after adopting the Rules and Regulations of the Municipal Corporation.
3. After the issue of license, there is no need to visit the physical verification or checking the premises after the issue of license.
4. No further checking will be there after the issue of license

Penalties:

Licenses must be obtained before or on 30th April of every year. In case of failure penalty shall be recovered as under:-

Period	Month	Fine amount
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Up to 30th June	25%
Upto 30 th September	50%
From 1 st October onwards.	100%

Further punishment and more fine are according to the Violations of PFA act of 1954 on the complaint of CMO (Chief Medical Officer) in the city court.

II. Vegetable Vendors:

In Ludhiana vegetable vendors sell the variety of fruits and vegetables by moving in the city streets and carry on all things by a type of rickshaw. Vegetable shop is established by the rules/regulations of Municipal Corporation for the purpose of selling a variety of vegetables/ fruits either on retail or wholesale. But the moving vegetable sellers come in the category of retailer while vegetable shop can be established for both purposes as wholesale/ retail.

Two types of licenses are required for running a shop. One is from corporation for establishing a shop. Other is also from corporation for selling vegetables. In that case the procedure as same as that of dhaba's. If it is a vegetable vendor, then two types of licenses are required for vegetable sellers. One is from corporation for carrying on rickshaw means same as rickshaw puller. Other is for selling vegetables from corporation.

Procedure:

In Ludhiana, vegetable vendors have the same procedure as cycle rickshaw. Municipal Corporation is the regulatory body here. Those who wish to start can apply by a form available from corporation. The detailed procedure is as follows:

The Application form will be given to the Rickshaw puller owner, by the Municipal Corporation on which Performa is printed. The rickshaw puller is required to submit the application form with two photographs attested by the Councillor /M.L.A/gazetted officer and the medical fitness certificate must be collected from an M.B.B.S. doctor. If there are numbers of applications, then it could take two-three days to issue the license.

In addition a PFA License is issued under the PFA act by CMO (chief medical officer) One can apply for it in form A available from C M O (Chief Medical Officer) office. The Regulatory body for PFA is CMO. After getting PFA license, he will be eligible to carry the trade by CMO department.

Documents Required for Rickshaw license:

1. Application form with two photographs attested by the Councillor/M.L.A/gadzeted officer
2. Medical fitness certificate from the M.B.B.S. doctor

Documents required for vegetable sale license:

1. Application form
2. As the general requirement, the person has to submit three photographs of person
3. Under PFA, the person has to submit 4 passport size snaps for vegetable seller/ shop

4. Copy of license of rickshaw pulling for vegetable Vendors
5. An affidavit

License Fees:

The fees is charged as prescribed by the corporation. The annual fee for the cycle rickshaw license is Rs.40/- In addition for carrying a trade as vegetable vendor, the following fees are also charged: Rs.40/- and in addition as the PFA license fees, 5/- for retailer is also charged. The fees can be submitted by chalan/ cash form. Vegetable vendors come under the category of retailer.

Time Duration:

A copy of PFA act will send within two three days after the application with all documents. The Time duration needed for process a license is one week and generally the license will be processed within four days and for PFA license, it is one month. License is issued for 1 year. The validity of license is one year from 1st April to 31st march.

Issue of License:

If there are numbers of applications, then it could take two-three days to issue the license.

License Renewal:

The validity of license is one year from 1st April to 31st march. The documents required for the renewal of the license are same as that of new one. The procedure for the renewal of license is also the same as that of the new one. The period required for the renewal of license is same as that of the new one.

Terms and conditions:

1. The person is required to place a number plate with issued by corporation.
2. They have to sell quality vegetables/fruits under the norms of PFA act.1954.
3. No other regulation.

Penalties:

Licenses must be obtained before or on 30th April of every year. In case of failure penalty shall be recovered as under:-

Period	Month	Fine amount
Up to 30th June		25%
Upto 30 th September		50%
From 1 st October onwards.		100%

If one does not renew the license in time, the fine is imposed 2/- per day to retailer and 5/- per day to whole sale. If any one is found selling the less quality articles, then the person will be punished as per the complaint under PFA act and legal actions will be taken, which involves the court procedure also. In addition, the vegetable vendors without a rickshaw license can be penalised as follows:

There is no such restriction regarding the number of license to be issued in a fiscal year. If a cycle rickshaw is caught without a valid license then the rickshaw will be put in the store room and released only after getting the clearance from the department and depositing the settled fee.

III. Cycle Rickshaw

Cycle Rickshaw is governed as per the directions provided in "The Punjab Rickshaws (Regulation of license) Act, 1976. As per the Act "cycle- rickshaw" means a three- wheeled cycle-rickshaw driven by a manual labour and includes all its components and accessories. There are no city permits issued and there is no restriction on the number of cycle rickshaw at a particular time and no city permit is required. Only License is required.

Municipal Corporation defines Permits as the license on which the photograph of the Cycle rickshaw Puller is pasted. In Ludhiana, as anywhere in Punjab every year, a token number and a license /permit on which the photograph of the cycle rickshaw puller is pasted is issued to the Cycle rickshaw puller and no other city permit is needed in Punjab and there is no restriction on the number of cycle rickshaw at a particular time and no city permit is required.

Procedure for Cycle Rickshaw License:

The Application form will be given to the Rickshaw puller owner, by the Municipal Corporation on which Performa is printed. The rickshaw puller is required to submit the application form with two photographs attested by the Councillor/M.L.A/gadzed officer and the medical fitness certificate must be collected from an M.B.B.S. doctor. If there are numbers of applications, then it could take two-three days to issue the license.

Documents Required:

1. Application form with two photographs attested by the Councillor/M.L.A/gadzed officer
2. Medical fitness certificate from the M.B.B.S. doctor.

License Fees:

The annual fee for the cycle rickshaw license is Rs.50.

License Duration:

The validity of license is one year from 1st April to 31st march.

Issue of License:

If there are numbers of applications, then it could take two-three days to issue the license.

License Renewal:

The validity of license is one year from 1st April to 31st march. The documents required for the renewal of the license are same as that of new one. The procedure for the renewal of license is also the same as that of the new one. The period required for the renewal of license is same as that of the new one.

Penalty:

There is no such restriction regarding the number of license to be issued in a fiscal year. Regarding the penalty for the cycle rickshaw pullers, if a cycle rickshaw is caught without a valid license then the rickshaw will be put in the store room and released only after getting the clearance from the department and depositing the settled fee. As per the Act, the person can be punishable with imprisonment which can extend to three months. The same is the case of the rickshaw of institution which is not painted in yellow.

Conditions:

1. There is no such restriction regarding the number of license to be issued in a fiscal year.
2. As per the Act, cycle rickshaw has to be plied by the owner himself. No licenses can be granted or renewed in contradictory to this. But it can be granted to a widow or disabled person if this is the only sources of his/her livelihood.
3. Municipal Corporation can grant or renew license to an institution to be plied through any person. But the rickshaw can not be used for hire. Rather it should be used only for its own conveyance and transportation requirements. In that case the body of the cycle- rickshaw must be painted yellow.
4. As per the amendment of the cycle rickshaws act in 191978, the licenses to widows, disabled and institution can be based on their needs. But the number of such licenses in one case shall not exceed five.
5. The conditions for this license for a rickshaw puller are:
 - a. Must be a healthy person
 - b. Must be a bell on the rickshaw
 - c. Must be a roof for the rickshaw
 - d. Must be a mudguard on the rare tyre of the cycle rickshaw and there must be a reflector at the back of the cycle rickshaw which should shine at the night.

IV Meat Shop:

In Ludhiana, a meat shop is defined as a sort of shop in which one/ many persons sell the varieties of uncooked meat in form of full or small pieces on fixed cost. The shop is run by the instructions of CMO office and established by rules of Municipal Corporation. Procedures are same for every trade as detailed in Dhabas (N.O.C from various departments and fees.)Still the procedures can be summarised as following

License Procedure:

The person has to apply in the prescribed form which is available from corporation free of cost .and the person will have to get the NO-Objection certificate from neighbours as well as M.T.P (Municipal Town planning department) , Fire Brigade, House tax and WSSA departments(Water Supply and Sewage Department).

No –Objection certificates:

No –Objection certificate from M.T.P:

For a commercial establishment, a building plan is required to be sanctioned from Municipal Corporation and before occupation and to start commercial business, a completion certificate as per u/s 272(2) of PMC Act 1976 is required. Before issuing the N.O.C, the site inspection will be conducted by the area building inspector. The status of building, sanction of the building plan, fees paid etc. will be checked by the area-building inspector at the time of inspection. The N.O.C's pertaining to the electric connections to the commercial establishments are issued by the Assistant Town Planner within one week, though there is no time schedule. There is no fixed validity period for the NOC'S and the state Electric city Board checks the NOC issued by corporation before issuing electric connection. There is no prescribed Performa for N.O.C. After issuing the NOC, no physical verification is done. Before issuing the N.O.C, the following documents must be submitted:

1. Sale deed in support of the ownership
2. Sanctioned building plan/receipt of composition fee paid in respect of the building for which NOC is required, if it newly constructed
3. Before issuing N.O.C., Rs.1000/-as the prescribed fee is realized

No –Objection certificate from Fire Brigade:

The No –Objection certificate from Fire Brigade is issued as per the provisions of ISI-2190. (Indian Standard Industries rules).A Building Plan must be submitted in advance and no need to pay any fees for this NO-Objection Certificate. The Premises will be verified physically as per the Guidelines of ISI and National Building Code. In Ludhiana, the employed officers will do the physical verification as per the rules of ISI. The Requirement of premise is as per the ISI and N.B.C. provisions.7-10 days are required to issue N.O.C. The Validity of N.O.C is one year. After issuing the N.O.C, the premise will be checked by the department once in a year.

No –Objection certificate from Neighbours:

It is collected from the neighbours in the shape of their signatures with complete address in prescribed Performa. It must be minimum five or above

No –Objection certificate from House tax:

Nothing due Certificate to certify that the applicant have no house tax standing unpaid on the property is required. This copy will be sent to the applicant too. After that process, the department will check the records and N.O.C will be given accordingly.

No –Objection certificate from Water Supply and Sewage Department:

All the consumers who have the approved connection of water and sewage can get the No Objection Certificate by simply applying on a paper in application and attached copy of water and sewage bill at any time. No charges are taken from the applicant by the department for issuing it. Before issuing the certificate, the account is checked by the assistant engineer/field staff at the zonal office. On the basis of documents, No –Objection Certificate is issued.

Documents Required:

1. 4 passport photographs
2. Attested Map by concerned Authority.
3. Proof of ownership of the place.
4. An affidavit attested by notary.
5. Determined fees by chalan must be submitted in the treasury.

Verification:

The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbours.

Regulatory body:

Chief Medical Officer

License Fees:

The fees for meat shop is as prescribed by the state Government.Rs.1000/- by chalan must be submitted in the state govt. treasury. The fees remittance can be done in the license department itself by chalan form/ cash.

Processing time:

One month

Issue of License:

The License will be issued after the submission of documents and after completing the formalities from the license inspector, reports from Municipal town planners and fire brigade.

License Duration:

One year.

License Renewal:

The person has to submit the filled form and has to produce the previous license receipt. The fees are equal to new license. But in the month of March, it will be 10% less, and from April to June, it will be 25% and July to September 50% and from October 100% penalty will be charged. The applicant does not have to submit again the No-Objection Certificate. The processing time is generally 15 to 20 days. Persons who get licenses renewed before 30th March shall be allowed rebate of 10% in license fees.

Other Formalities:

1. The license is to be checked by the staff of licensing department.
2. Blank copy of license can not be provided .It will be provided only after adopting the Rules and Regulations of the Municipal Corporation.
3. After the issue of license, there is no need to visit the physical verification or checking the premises after the issue of license.
4. No further checking will be there after the issue of license

Penalties:

Licenses must be obtained before or on 30th April of every year. In case of failure penalty shall be recovered as under: -

Period	Month	Fine amount
Up to 30 th June		25%
Upto 30 th September		50%
From 1 st October onwards.		100%

Further punishment and more fine are according to the Violations of PFA act of 1954 on the complaint of CMO (Chief Medical Officer) in the city court

V Barber Shop:

Municipal Corporation of Ludhiana regulates the trades in Ludhiana as per the section 343 of Punjab municipal corporation act, 1976. Municipal Corporation issues licenses under 343(1) (B) for establishment of various trades. In Ludhiana, a barbershop is one, which is established by the rules/regulations of Municipal Corporation for the purpose of hair cutting/setting/shaving etc. They all work on fixed rates determined by their own union.

Procedures are same for every trade as detailed in Dhaba's. (N.O.C from various departments and fees.) At present anyone is free to work in the corporation area. So no application is needed because there is no need of license and Fees. Still the procedures can be summarised as following:

Licensing procedure:

The person has to apply in the prescribed form which is available from corporation free of cost and the person will have to get the NO-Objection certificate from neighbours as well as M.T.P (Municipal Town planning department), Fire Brigade, House tax and WSSA departments(Water Supply and Sewage Department).

No –Objection certificates:**No –Objection certificate from M.T.P:**

For a commercial establishment, a building plan is required to be sanctioned from Municipal Corporation and before occupation and to start commercial business, a completion certificate as per u/s 272(2) of PMC Act 1976 is required.

Before issuing the N.O.C, the site inspection will be conducted by the area building inspector. The status of building, sanction of the building plan, fees paid etc. will be checked by the area-building inspector at the time of inspection. The N.O.C's pertaining to the electric connections to the commercial establishments are issued by the Assistant Town Planner within one week, though there is no time schedule. There is no fixed validity period for the NOC'S and the state Electric city Board checks the NOC issued by corporation before issuing electric connection. There is no prescribed Performa for N.O.C. After issuing the NOC, no physical verification is done.

Before issuing the N.O.C, the following documents must be submitted:

1. Sale deed in support of the ownership
2. Sanctioned building plan/receipt of composition fee paid in respect of the building for which NOC is required, if it newly constructed
3. Before issuing N.O.C., Rs.1000/-as the prescribed fee is realized

No –Objection certificate from Fire Brigade:

The No –Objection certificate from Fire Brigade is issued as per the provisions of ISI-2190. (Indian Standard Industries rules).A Building Plan must be submitted in advance and no need to pay any fees for this NO-Objection Certificate. The Premises will be verified physically as per the Guidelines of ISI and National Building Code. In Ludhiana, the employed officers will do the physical verification as per the rules of ISI. The Requirement of premise is as per the ISI and N.B.C. provisions.7-10 days are required to issue N.O.C. The Validity of N.O.C is one year. After issuing the N.O.C, the premise will be checked by the department once in a year.

No –Objection certificate from Neighbours:

It is collected from the neighbours in the shape of their signatures with complete address in prescribed Performa. It must be minimum five or above.

No –Objection certificate from House tax:

Nothing due Certificate to certify that the applicant have no house tax standing unpaid on the property is required. This copy will be sent to the applicant too. After that process, the department will check the records and N.O.C will be given accordingly.

No –Objection certificate from Water Supply and Sewage Department:

All the consumers who have the approved connection of water and sewage can get the No Objection Certificate by simply applying on a paper in application and attached copy of water and sewage bill at any time. No charges are taken from the applicant by the department for

issuing it. Before issuing the certificate, the account is checked by the assistant engineer/field staff at the zonal office. On the basis of documents, No –Objection Certificate is issued.

Documents Required:

1. Filled form
2. No Objection Certificate from neighbours, Municipal Town Planners, Fire Brigade, House Tax and Water Supply and Sewage Department

Verification:

The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbours.

Regulatory body:

Municipal Corporation.

License Fees:

The fee is as prescribed by the Ludhiana Municipal Corporation. It is Rs.350/- up to 31st march. The fees remittance can be done in the license department itself by chalan form/ cash

Processing time:

One month

Issue of License:

The License will be issued after the submission of documents and after completing the formalities from the license inspector, reports from Municipal town planners and fire brigade.

License Duration:

One year.

License Renewal:

The person has to submit the filled form and has to produce the previous license receipt. The fees are equal to new license. But in the month of March, it will be 10% less, and from April to June, it will be 25% and July to September 50% and from October 100% penalty will be charged. The applicant does not have to submit again the No-Objection Certificate. The processing time is generally 15 to 20 days. Persons who get licenses renewed before 30th March shall be allowed rebate of 10% in license fees.

Other Formalities:

1. The license is to be checked by the staff of licensing department.
2. Blank copy of license cannot be provided .It will be provided only after adopting the Rules and Regulations of the Municipal Corporation.
3. After the issue of license, there is no need to visit the physical verification or checking the premises after the issue of license.
4. No further checking will be there after the issue of license

Penalties:

Licenses must be obtained before or on 30th April of every year. In case of failure penalty shall be recovered as under: -

Period	Month	Fine amount
Up to 30th June		25%
Upto 30 th September		50%
From 1 st October onwards.		100%

Further punishment and more fine are according to the Violations of PFA act of 1954 on the complaint of CMO (Chief Medical Officer) in the city court.

FINDINGS FROM THE STUDY

The trades in Ludhiana are regulated by Municipal Corporation of Ludhiana as per the section 343 of Punjab municipal corporation act, 1976. Municipal Corporation issues licenses under 343(1) (B) for establishment of various trades. For food and eatable articles, the licenses are issued by Chief Medical Officer under PFA act of 1954

General Findings:

1. The Whole Punjab is following the same procedure.
2. The trades in Ludhiana are regulated by the Municipal Corporation of Ludhiana as per the provisions provided in the section 343 of the Punjab Municipal Corporation Act, 1976.
3. NOC which is required to be taken from municipal town planner (MTP) office is Rs.1000/- one time, but the license which is issued by the corporation after the submission of NOC, is worth Rs.50-200 for different categories. This is surprising
4. The procedure for dhabas and meat shops are same

Dhaba:

1. In ludhiana, dhabas are considered as the place or shop where many persons are engaged in the preparation of food. This can be vegetarian or Non vegetarian. They charge the fixed cost of prepared food depends on the variety of food. It is established under license issued by corporation under the provisions of U/S 343 of Punjab Municipal Corporation Act, 1976.
2. In ludhiana, to get a license, **the person must have to get the NO-Objection Certificate from neighbours as well as from the departments of Municipal Town Planner, Fire Brigade, House tax and Water Supply and Sewerage**

Department. The procedure for this N.O.C is more complicating than the license itself.

3. **No –Objection certificate from Fire Brigade** is obtained as per the provisions of ISI-2190. Building Plan must be submitted and the Premises will be verified physically as per the Guidelines of ISI and National Building Code. 15 officers are employed for this physical verification and after issuing the N.O.C, the premise will be checked by the department, once in a year. But from the field study, it is found from the verbal interaction of the interns that that neither of the officers have the copy of this guidelines an in hand and it seems that they had obtained the copy of the guidelines from the fire department of some other city . So the authenticity of the knowledge base of the verification is being forced to be questioned. (The Intern Collected it from the intern of ludhiana)
4. Rs.1000/- is charged for issuing the No Objection Certificate from the M.T.P. department .This is in addition to the fees for license for the trade, whereas the license fee is only Rupees Hundrered and sixty two rupees, which consists of the fee of Rs.50 , Prevention of Food Adulteration Act fee Rs. 12/- and Conservancy fee Rs. 100
5. The License Inspector will make the physical verification and also checks the premises prior to the issue of license. The officers will visit to the site and they will enquire from the neighbours for any hindrance /nuisance and also to get the verification and signatures along with complete address of the neighbours.
6. Regarding the renewal, every year before the 30th of April, licenses have to be renewed with the submission of the filled form and previous license receipt. The fees are equal to new license. The person who get the license renewed before 30th march shall be allowed a rebate of 10 % in the license fee(subject to the increase in the fee). If the applicant get his license renewed before or on **30th April of every year**. In case of failure penalty(in excess of the license fee) shall be recovered as under:-

Up to 30 th June	25%
Up to 30 th September	50%
From 1 st October onwards.	100%

Vegetable Vendors:

1. In Ludhiana vegetable vendors sell the variety of fruits and vegetables by moving in the city streets and carry on all things by a type of rickshaw
2. Vegetable shop is established by the rules/regulations of Municipal Corporation for the purpose of selling a variety of vegetables/ fruits either on retail or wholesale. But the moving vegetable sellers come in the category of retailer while vegetable shop can be established for both purposes as wholesale/ retail. Two types of licenses are required for running a shop. One is from corporation for establishing a shop. Other is also from corporation for selling vegetables. In that case the procedure as same as that of dhabas
3. For a vegetable vendor also two types of licenses are required. One is from corporation for carrying on rickshaw.It is the same as rickshaw puller. Other is for selling vegetables from corporation
4. A copy of PFA act will send within two three days after the application with all documents. The Time duration needed for process a license is one week and generally the license will be processed within four days and for PFA license, it is one month. License is issued for 1 year. The validity of license is one year from 1st April to 31st march
5. The person is required to place a number plate with issued by corporation

6. They have to sell quality vegetables/fruits under the norms of PFA act.1954
7. In addition to general penalties, If one does not renew the license in time, the fine is imposed 2/- per day to retailer and 5/- per day to whole sale.If any one is found selling the less quality articles, then the person will be punished as per the complaint under PFA act and legal actions will be taken,which involves the court procedure also
8. In addition if the vegetable vendors are not having license for rickshaw caught without a valid license then the rickshaw will be put in the store room and released only after getting the clearance from the department and depositing the settled fee
9. The Application form will be given to the Rickshaw puller owner, by the Municipal Corporation on which Performa is printed. The rickshaw puller is required to submit the application form with two photographs attested by the Councillor /M.L.A/gazetted officer and the medical fitness certificate must be collected from an M.B.B.S. doctor. If there are numbers of applications, then it could take two-three days to issue the license
10. In addition A PFA License is issued under the PFA act by CMO (chief medical officer) One can apply for it in form A available from C M O (Chief Medical Officer) office. The Regulatory body for PFA is CMO. After getting PFA license, he will be eligible to carry the trade by CMO department
11. The Documents Required for Rickshaw license:
 - a. Application form with two photographs attested by the Councillor/M.L.A/gadzetted officer
 - b. Medical fitness certificate from the M.B.B.S. doctor
12. The Documents required for vegetable sale license:
 - a. Application form
 - b. As the general requirement , the person has to submit three photographs of person
 - c. Under PFA, the person has to submit 4 passport size snaps for vegetable seller/ shop
 - d. copy of license of rickshaw pulling for vegetable Vendors
 - e. An affidavit

CYCLE RICKSHAW:

1. Cycle Rickshaw is governed as per the directions provided in "The Punjab Rickshaws (Regulation of license) Act, 1976
2. As per the Act "cycle- rickshaw" means a three- wheeled cycle-rickshaw driven by a manual labour and includes all its components and accessories
3. Municipal Corporation defines Permits as the license on which the photograph of the Cycle rickshaw Puller is pasted. In Ludhiana as anywhere in Punjab every year, a token number and a license /permit on which the photograph of the cycle rickshaw puller is pasted is issued to the Cycle rickshaw puller and no other city permit is needed in punjab and there is no restriction on the number of cycle rickshaw at a particular time and no city permit is required
4. As per the Act, cycle rickshaw has to be plied by the owner himself. No licenses can be granted or renewed in contradictory to this. But it can be granted to a widow or disabled person if this is the only sources of his/her livelihood
5. Municipal Corporation can be grant or renew license to an institution to be plied through any person. But the rickshaw can not be used for hire. Rather it should be used only for its own conveyance and transportation requirements. In that case the body of the cycle- rickshaw must be painted yellow

6. As per the amendment of the cycle rickshaws act in 191978, the licenses to widows, disabled and institution can be based on their needs. But the number of such licenses in one case shall not exceed five
7. Regarding the penalty for the cycle rickshaw pullers, If a cycle rickshaw is caught without a valid license then the rickshaw will be put in the store room and released only after getting the clearance from the department and depositing the settled fee
8. As per the Act, the person can be punishable with imprisonment which can extend to three months. The same is the case of the rickshaw of institution which is not painted in yellow
9. The conditions for this license for a rickshaw puller are (a) must be a healthy person (b) Must be a bell on the rickshaw (c) Must be a roof for the rickshaw (d) must be a mudguard on the rare tyre of the cycle rickshaw and there must be a reflector at the back of the cycle rickshaw which should shine at the night

MEAT SHOP:

1. The procedures are same, except the license fees. The fees are Rs.150/-

BARBER SHOP:

1. In Ludhiana, a barber shop is one which is established by the rules/regulations of Municipal Corporation for the purpose of hair cutting/setting/saving etc. They all work on fixed rates determined by their own union
2. Procedures are same for every trade as detailed in Dhabas (N.O.C from various departments and fees.)
3. At present One is free to conduct the trade of barber shop. They don't have to get the license and the corporation is not issuing any license for them

Findings from Laws

1. As per Section 249 of Punjab Municipal Corporation Act 1976, the Commissioner has the Power to remove anything exposed for sale which is in contravention of the Act.
2. As per Section 308 of Punjab Municipal Corporation Act 1976, Infected persons are not allowed to making or selling of food, etc or washing of clothes by infected persons
3. As per section 309 of Punjab Municipal Corporation Act 1976 , When the city or any part thereof is visited or threatened by an outbreak of any dangerous disease the commissioner may prohibit the sale or preparation of any article of food or drink for human consumption
4. As per section 332 of Punjab Municipal Corporation Act 1976, No person shall, without the general or special permission in writing of the Commissioner, sell or expose for sale any animal or article in any municipal market
5. As per section 333 of Punjab Municipal Corporation Act 1976, No place other than a municipal market shall be used as a market unless such place has been licensed as a market by the Commissioner. It also says that no place other than municipal slaughter-houses shall be used as a slaughter-house. But The commissioner can not restrict the slaughter of any animal in any place on the occasion of any religious festival or ceremony

6. As per Section 337 of Punjab Municipal Corporation Act 1976, no animal or article shall be sold or exposed for sale within a distance of one hundred yards of any municipal market without the permission of the Commissioner
7. As per section 9 of Punjab shops and establishments, act, the government will fix the opening and closing hours and will be notified in Gazette. As per Notification No. PG No 852-6 L & E-76/25850, dated 16-7-76 published on 23-2-76 superseding the notification of 21-10-75, The Punjab Government has fixed Monday as close-day for establishments outside Railway Crossing, Rama Mandi Jullundur Cantt, except Banking and Insurance Companies, go downs and Fair Price shops or stores run, approved or licensed by Food & Civil Suppliers Department t