

RULES AND REGULATIONS GOVERNING THE LICENSING OF DHABA IN NAINITAL

State: Uttarakhand

Details of licensing are as follows:

In Naini Tal, Dhaba's are regulated as per the Bye-laws for the regulation of vendors of article of food in the Naini Tal Municipality. "Food" includes every article excepting food grains used for food or drink by men, any article which ordinarily enters into or is used in the composition or preparation of human food, flavouring matters, and ice. It does not include drugs or water.

Vendor" includes "Hawker". No person shall sell or expose for sale any food within the limits of the municipality unless he has been granted a license.

Licensing Procedure:

A license will be granted on an application in the prescribed form with the prescribed fees before the commencement of the trade. The authorities will conduct the verification study and there after the license will be issued.

Documents Required:

The applicant has to submit the relevant documents requested by the municipality authorities along with the application form

Authority:

The Commissioner of the Nainital Municipality is the prime authority for the licenses. But the byelaws do not specify the department in charge.

License fees:

As per the byelaws, the license fee is Rs.1 for every license issued under these bye-laws. The revision of fees is not happened.

License Renewal:

The license granted under the bye-laws shall be valid for the period ending on March 31 next following and an application for its renewal must be to the Medical Officer of Health at least one month before this date. A fee of Rs.1 shall be charged for every license issued under the above byelaws. License renewal is done by filling up the form needed for getting a new license.

Penalty:

As per the byelaw, in the exercise of the powers conferred by section 299(1) of the Act, the Board directs that any breach of any provisions of the rules and bye-laws shall be punishable with fine which may extended to five hundred rupees, and when the breach is a

continuing breach, with a further fine which may extend to five rupees for every day after the date of first conviction during which the offender is proved to have persisted in the offence”.

Additional Conditions:

A license granted under these bye-laws shall be subject to the following conditions:-

1. No one shall place any food intended for sale in or on any dirty receptacle, or expose such food without properly covering it, so as to prevent access or dirt, flies, smoke, insects, etc. to the satisfaction of the Medical Officer of Health
2. No food shall be kept near any sullage drains, rubbish heap latrine, nightsoil, depot or dustbin
3. Persons suspected to be suffering from infectious or communicable intestinal diseases shall not be allowed to carry on the trade unless certified to be safe by Medical Officer of Health
4. All substances used in the preparation of food shall be free from adulteration, and of good quality. The Medical Officer of Health will be the judge of the quality of ingredients used in the preparation of the articles exposed for sale
5. Water used for preparing food, and cleaning utensils or for drinking by customers, shall be obtained from the municipal piped supply or from a pure source certified by the Medical Officer of Health and shall be stored in clean vessels with suitable covers to protect it from contamination
6. Food shall be served to customers in neat and clean dishes. No used paper or paper which is printed or written over shall be utilized for this purpose
7. No vendor or hawker shall use any lamp or other light which by reason of its construction or condition is likely to smoke or deposit soot
8. Proper receptacle shall be provided at all food shops for receiving used dishes and other materials and shall be regularly cleaned
9. Arrangements for the slaughtering of fowls and for the cleaning of fish, etc. shall be made to the satisfaction of the Medical Officer of Health
10. All vegetables eaten raw in salads, sandwiches, etc. shall be properly washed in potassium permanganate solution of suitable strength
11. Adequate arrangement for latrines and urinals shall be made for the employees of restaurants, hotels and shops, etc
12. No person shall sell stale eggs or rotten eggs to any customer
13. Hen's eggs duck eggs and guinea fowls eggs should be stored kept and sold under their proper name. All receptacles should bear a label with proper names of the eggs in bold letters 'both in Hindi and English of size not less than 2 each
14. Every vendor of food shall put up a sign board written in English, Hindi and Urdu characters indicating whether the articles of food sold by him have been prepared from genuine ghee or vegetable product every letter of which shall be at least 2" by 2" in dimension. The Notice Board shall always be maintained in good order and be put at the most prominent place in shop frontage so that it may be distinctly visible to customers.
15. The Medical Officer of Health shall be the licensing authority for the purpose of these byelaws
16. The license may be cancelled or suspended at the discretion of the Medical Officer of Health at the outbreak or during the prevalence of an epidemic or for breach of any of the aforesaid conditions