

RULES AND REGULATIONS GOVERNING THE LICENSING OF JOB PORTER / COOLIE IN SHIMLA

State: Himachal Pradesh

Details of licensing are as follows:

The Licensing of Job Porter/coolie is regulated through the job porter bye-laws – 2004. "Job Porters" means a person who carries goods for hire or reward. No person shall work as job Porter within the territorial jurisdiction of the Corporation except under a License granted by the Corporation under these byelaws. Any job Porter hired outside the Municipal Corporation limit and performs a portion of the work imported by such hiring within Municipal limit the provision of this byelaw, shall not apply to such job porter if the period of performance of work in the Municipal Corporation limit does not exceed 24 hour. Nothing in these bye-laws (job porter bye-laws –2004.) shall apply to any job porters:

1. engaged or hired within the precincts of a Railway Station, or
2. engaged and hired outside the territorial jurisdiction of the Corporation who under such engagement or hiring performs the job of a porter, within the Corporation limits for a period of not exceeding 24 hours.

Appliction:

No License shall be granted under these bye-laws, unless the applicant:-

1. has applied to the Commissioner of the Corporation for the grant of a license in the form prescribed and attached with the application two copies his recent photograph and a certificate from a reliable person to the effect that the applicant is personally known to him for not less than two years immediately proceeding the date of application and that the particulars given in the application are correct to the best of his knowledge
2. Every job porter shall get a license on payment of such a fee as may be fixed by the Corporation from time to time
3. Job porter so licensed has attained the age of 18 years and above and
4. Job Porter shall be physically and mentally fit in all respects to work as a Job Porter

Conditions for Licensee:

1. Every license issued or renewed under these bye-laws shall be subject to the following conditions, that the licensee:-
 1. shall, while performing the work as Porter wear clothes of such colour
 2. shall, deposit at the nearest Police station all goods or property which may be left with him by the owner thereof;
 3. shall, not demand or receive more than the maximum hire permissible under the scale fixed by the Commissioner from time to time

4. shall, take proper care of the badge issued to him under Bye-laws and shall not alter, deface or obliterate it;
5. shall, not permit the use of the badge issued to him under by laws 8 by another person and in case it is lost, he shall report the said lost with Corporation ;
6. shall, work in the locality where his name has been registered under bye-law No. 15
7. shall, produce on demand his license, badge and list of hires fixed by the Corporation to the officers of the Corporation.

Validity Of License:

No license shall be valid unless:-

1. it has been given in the prescribed form;
2. it has been signed by the Commissioner or by any Municipal Officer duly authorized by him;
3. it bears the legible signature or the left hand thumb impression of the Licensee at proper place and;
4. copy of the recent photograph of the licensee is affixed on it;

Metal Badge:

Along with every license, a metal badge of such design, as the Commissioner may approved upon which shall be marked or a number corresponding with the number of such license shall be supplied to the licensee on payment of such amount as may be fixed by him from time to time.

Expiry of License:

Every license granted under these bye-laws shall expire on 31st day of March, next ensuing unless it is renewed under bye laws-11 on or before that date.

Licenses Not Transferable:

No license granted or renewed under these bye-laws shall be transferable

Renewal of licenses:

Subject to the provision of byelaws 12 and 13, every license granted under these bye laws may be renewed for such further periods not exceeding twelve months at a time. Rs.20/- is the fees for renewal unless otherwise specified by a notice on behalf of the Commissioner

Renewal of license :

An application for renewal of a license issued under these by laws shall be made in the form prescribed at least 30 days before the expiry of the license and shall be disposed of before the expiry of the license and if this application is not so disposed of within that period the license shall be deemed to have been renewed.

No license shall be renewed, unless the applicant:-

1. has paid such fees as are fixed from time to time under these bye laws;
2. continuous to satisfactory conditions laid down for the grant of such license under bye laws;
3. Continues to be physically and mentally fit in all respects to work as a Job Porter.

Return of license and Badge:

Unless a license is renewed every licensee shall return his license and the metal badge to the Commissioner within 15 days after the expiry of the term of license or when the License has been suspended or revoked after such suspension or revoke.

Rules and Regulations:

1. For the registration of job porters and for ensuring the availability of porters in the city the licensees shall be registered against the bus stand as locality-wise. Minimum and maximum number of job porters shall be fixed by the Commissioner or by the Officer authorized by him
2. For each locality, the Commissioner or by nominated under bye-law the officer authorized by him shall nominate one porter on the head job porter and he shall be paid such allowance as may be fixed by the Corporation
3. The Head Job Porter shall be responsible to organize and control the work at the particular bus stand and as and when authorized job porters are found at such sites, he shall report them to the Commissioner
4. The Head Job Porter shall ensure that the services of Job Porter are available at all times on the cooliage charges which are fixed by the Municipal Corporation

Penalties:

A licensee who contravenes any provisions of these bye-laws or any condition of the license shall be punishable under section 396 of the HPMC Act, 1994 with fine which may extend to Rs.500/- But it shall in no case be less than Rs.150/- and in case of continuing contravention, an additional fine which may extend to fifty rupees for every day during which such contravention continue.

A SPECIAL NOTE:

A project to install a modern state-of-the-art slaughterhouse at Shimla has been approved for MC Shimla by the Central Government at a cost of Rs.18 crore which shall be functional in eighteen months time.

(Byelaws regulating the trade can be accessed at <http://www.shimlamc.org/>)