

**HYDERABAD MUNICIPAL CORPORATION CONTROL AND
SUPERVISION OF PREMISES USED FOR CERTAIN PURPOSES
BYE-LAWS, 1973**

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**HYDERABAD MUNICIPAL CORPORATION CONTROL AND
SUPERVISION OF PREMISES USED FOR CERTAIN PURPOSES
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In exercise of the powers conferred under Section 586 (22) and

(48) read with Section 521 of the Hyderabad Municipal Corporation Act, 1955 Hyderabad (Act II of 1956) the Municipal Corporation of Hyderabad makes the following bye-laws. BYE-LAWS

1. Short title and Commencement :-

(a) These bye-laws may be called "The Hyderabad Municipal Corporation Control and Supervision of Premises used for certain purposes Bye-laws, 1973".

(b) They shall come into force from the date of publication in the Andhra Pradesh Gazette (i.e. from 30-5-1974)

2. Definitions :-

(a) In these bye-laws, unless the context other wise requires-

(i) 'Act' means the Hyderabad Municipal Corporation Act, 1955

(ii) 'Appendix' means the appendix to these bye-laws.

(iii) 'Corporation ' means the Municipal Corporation of Hyderabad

(iv) 'Section' means a section of the Act.

(b) In these bye-laws, words used but not defined shall have the meaning assigned to them in the Act.

3. . :-

(1)

(a) Every application to the Commissioner, Municipal Corporation of Hyderabad (hereinafter referred to as the Commissioner) for grant or renewal of licence for any of the purposes mentioned in Schedule P to the Act or otherwise required under Section 521 of the Act shall be made in the form in Appendix 'A' signed by the applicant or his authorised agent

(b) an application for renewal of licence shall be made within 30 days before the expiry of the previous licence.

(c) Every application shall be accompanied by (a) Blue Print plan of site and building in triplicate duly signed by the applicant. The plan shall be drawn to a scale of 1:200 and indicate the following

(2)

(a)

(i) The premises proposed to be used for the purposes mentioned in Section 521 of the Act.

(ii) The width of the street.

(iii) The location of the building or land for 30 metres around the premises where trade or business or operation is sought to be carried on stating whether those are used for the residential or non-residential purposes.

(iv) The location of latrines and urinals in the premises.

(b) A true copy of the title deed if the applicant is the owner of the premises/place or a copy of lease deed or any other document enabling the applicant to use and occupy the premises/place attested by a Gazetted Officer or an officer duly authorised by the commissioner in this behalf or a Magistrate.

(c) A certificate of property tax and profession tax clearance in the form in Appendix D in case of owners of the premises; and in the case of tenants; a certificate of profession tax clearance form the Deputy Commissioner of the Circle officer concerned.

(d) Every application shall be disposed of normally within 90 days if it is for a fresh licence and within 60 days if it is for renewal licence from the date of receipt of such application.

4. In case of belated application, an additional fee shall be charged at the following rates :-

(i) upto a delay of 60 days 25% of the licence fee.

(ii) over 60 days 50% of the licence fee.

5. . :-

The fee payable in respect of a licence shall be remitted to the Municipal Treasury in advance of the applications for grant/renewal of application and receipt shall be attached to the applications.

6. . :-

Every licence granted or renewal under Section 521 of the Act, shall be issued in the form in Appendix 'B' and shall be subject to the conditions specified therein.

7. . :-

When more than one licensable trade is carried on by a person in a single premises licence fee shall be charged at 50%of the

aggregate of the licence fee chargeable separately for each trade or at the highest licence fee leviable on any of them whichever is higher.

8. . :-

When a licence is granted or renewed for a period of less than a year, the fee chargeable for the same place in respect of the same trade or business in any year shall be proportionate to the period for which licence is granted.

9. . :-

(a) No licence or permission shall be transferred without the previous sanction by the Commissioner.

(b) A fee equivalent to 25% of the licence fee shall be charged for each application for transfer of licence.

(c) The Commissioner may refuse to sanction any transfer for reasons to be recorded by him in writing communicated to the applicant.

10. . :-

An application for a renewal of licence shall be accompanied by a true copy of the licence granted to him for the previous year,.

11. . :-

An application for grant or renewal of licence fee in respect of that particular trade, business or operation or the premises for the previous year, if he had carried on the said trade or business or used the premises during that period.

12. . :-

Every licence shall expire at the end of the financial year for which it is granted unless for special reasons, the Commissioner considers that it shall expire at an earlier date to be fixed in the licence.

13. . :-

(a) When a licence is refused, the applicant will be entitled to the refund of the 3/4th of the fee paid by him and the same less the money order commission, will be remitted to him by money order after expiry of fifteen days from the date of refusal provided that no petition for reconsideration is pending at that time. Where a petition for reconsideration has been rejected, the said amount will be refunded immediately thereafter.

(b) Whenever any application for licence is refused or rejected the Commissioner shall state reasons for such refusal or rejection in the form in Appendix 'C'.

14. . :-

Mere payment of licence fee will not entitle an applicant to the grant of licence and such payment shall not be construed as if a licence has been granted.

(i) The Commissioner if he considers such action necessary on the grounds of public health, convenience of safety or if any of the restrictions or conditions of licence or any provisions of the Act or these bye-laws are infringed or if the licence has been obtained by any fraud or misrepresentation, revoke, suspend or cancel a licence.

(ii) If the trade or operation is carried on without a licence or after service of a notice or after communication of order under bye-law 13 (b) the Commissioner may get the premises so used, closed and seize the goods and articles used for running the said trade or operation.

15. . :-

(a) Where a licence is cancelled, revoked or suspended the fee paid for shall not be refunded.

(b) No application for refund of licence fee will be entertained after a licence is granted.

16. . :-

No person shall use any building for keeping or storing any article specified in Parts I and II or for carrying any trade or manufacture of any article specified in Parts III and IV of Schedule 'P' to the Act, unless.

(a) it is constructed with masonry,

(b) every part thereof is constructed with non-inflammable materials, and

(c) it is adequate for keeping, storing or carrying on the trade.

17. . :-

A person who has obtained from the Commissioner, a licence for the use of any premises for the trade or operation specified in Part IV or Schedule 'P' to the Act shall provide in such premises

sufficient supply of water from a source approved by the Health Officer, shall cause such premises to be thoroughly cleaned and shall prevent an accumulation of filth or the refuse therein.

18. . :-

The licensee shall cause the flooring of every building in such premises to be paved or otherwise made impervious and drained to the satisfaction of the Health Officer. Such flooring shall be kept in good repair.

19. . :-

The licensee shall provide suitable means of ventilation and lighting for such premises and shall cause the same to be maintained in good order.

20. . :-

The licensee shall provide suitable means of drainage for such premises and shall cause the same to be maintained in good order.

21. . :-

The licensee shall provide such number of latrines and urinals as may be determined by the Medical Officer of Health hereinafter referred to as Health Officer, inside the latrines premises for persons employed in the trade or operation. The latrines and urinals shall be connected to the nearest Municipal sewer.

22. . :-

The licensee shall cause every part of building in such premises to be white washed at least twice a year or more often, if it be required by the Health Officer.

23. . :-

The licensee shall not use or permit any part of such premises to be used for human habitation or for stables which is injurious to health.

24. . :-

No person shall spit in such premises except in such receptacles or places as are provided for the purpose.

25. . :-

No person suffering from leprosy, loathsome infectious or contagious disease carry on such business and no licensee shall employ any person suffering as aforesaid to assist him in carry on such business.

26. . :-

The licensee shall put up a sign board not projecting more than 23 cms, from the building, at the main entrance to premises showing the purpose for which the premises are intended or used and indicating the number of licence granted in respect thereof.

27. . :-

(i) The licensee shall maintain an inspection book in the premises and make it available at all times to the Inspecting Officers.

(ii) The instructions contained in the inspection book shall be carried out within the time specified and compliance thereof shall be intimated in writing to the Commissioner.

28. . :-

The licensee shall during the continuance of the licence be responsible for the due fulfilment of all the conditions of the licence, provisions of the Act or Rules or bye-laws made thereunder and in case of any infringement or neglect of failure on the part of the licensee or of any other person to fulfil or observe any of the said conditions, the licensee shall be liable to prosecution and the licence shall be liable to be suspended or revoked.

29. . :-

The Commissioner may with the approval of the corporation by a public notification published in the Andhra Pradesh Gazette and in three daily local newspapers prohibit within any area specified in the said notification the use of any premises for any of the purposes specified under Section 521 of the Act or the operation of any trade or categories of trades or (setting up any factory) workshop or workplace or bakery in any such specified area if the operation of any such trade or categories of trades is in the opinion of the Corporation injurious to public health, safety or convenience:

Provided that before publishing the notification the Commissioner shall publish a notification calling for objections to the proposed prohibition in any specified area and shall place all objections received within thirty days from the date of publication of the above notification before the Corporation along with the proposal.

30. . :-

The Commissioner shall not grant any licence in contravention of the notification published under bye-law 29.

31. . :-

Whoever commits a breach of these bye-laws shall be punishable.

(a) with fine which may extend to rupees one hundred and in case of the continuing breach with fine which may extend to Rupees ten for every day during which the breach continues, after conviction for the first breach;

(b) with fine which may extend to Rupees ten for every day during which the breach continues, after receipt of written notice from the commissioner or any Municipal officer duly authorised in that behalf to discontinue the breach;

(c) I In addition to the imposition of such fine he may be required to remedy the mischief so far as lies in his power.