

RULES AND REGULATIONS GOVERNING THE CITY PERMITS FOR CYCLE RICKSHAW IN CHANDIGRAH

State / union territory: Chandigarh

Details of city permit procedures are as follows:

Cycle rickshaws are regulated by the Municipal Corporation of Chandigarh as per the provisions provided in the section 343 of the Punjab Municipal Corporation law (Extension to Chandigarh) Act, 1994. In addition Cycle rickshaws has to follow the Punjab Cycle Rickshaws regulation of License (1976)

As per the Punjab Municipal corporation Law (Extension to Chandigarh) ordinance, 1911 and the further amendment in 1994, the rules and regulations of Chandigarh are as per the Punjab Municipal Corporation Act 1976. So Chandigarh is following the same procedures for licensing as some where else in Punjab.

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 Chandigarh like anywhere else 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 Councilor/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.

Documents Required:

Application form with two photographs attested by the Councilor /M.L.A/gazetted officer and a Medical fitness certificate from the M.B.B.S. doctor.

License Fees:

As per the Cycle Rickshaw Bye- law, the annual fee for the cycle rickshaw license is Rs.50.

As per the section 338 of the Punjab Municipal Corporation Act 1976, the Commissioner, with the previous approval of the Corporation, may charge such stallages, rents or fees as may from time to time be fixed by him for the occupation or use of any stall, shop, stand, shed or pen in a municipal market or municipal slaughter-house, for the right to expose articles for sale in a municipal market and for the right to slaughter animals in any municipal slaughter- house; and for the fees of such animals before they are ready for slaughter.

Act says that a copy of the table of stall ages, rents and fees, if any chargeable in any municipal market or municipal slaughterhouse, and of the bye-laws made under the Act for the purpose of regulating the use of such market or slaughter-house printed in such language or languages as the Commissioner may direct, shall be affixed in some conspicuous place in the market or slaughter-house.

As per section 343, the Corporation shall fix a scale of fees to be paid in respect of premises licensed. Provided that no such fee shall exceed such amount, as may be fixed by the Government from time to time.

Regulatory Body:

The commissioner is the authority. The health and sanitation department is the department which primary dealt with license.

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.

Conditions:

There is no such restriction regarding the number of license to be issued in a fiscal year. 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.

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. 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.

The conditions for this license for a rickshaw puller are:

1. Must be a healthy person
2. Must be a bell on the rickshaw
3. Must be a roof for the rickshaw
4. Must be a mudguard on the rare type of the cycle rickshaw and there must be a reflector at the back of the cycle rickshaw which should shine at the night.

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. As per the Punjab Municipal Corporation Act, the penalty for violating the section 343 and carrying any trade without a license is Rs.1000. The daily fine of Rs.100 will be charged for the continuity of the offence.