

Haryana Municipal (Licencing of the Tent Owners) Bye-laws, 1999

HARYANA

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Rule

HARYANA-MUNICIPAL-LICENCING-OF-THE-TENT-OWNERS-BYE-LAWS of 1999

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Haryana Municipal (Licencing of the Tent Owners) Bye-laws, 1999Published vide Notification No. GSR44/H.A.24/73/Section 200/99 dated 5.5.1999No. GSR 44/H.A. 24/Section 200/99. - In exercise of the powers conferred by clause (xx) of Section 200 read with Section 214 of the Haryana Municipal Act, 1973) Act 24 of 1973) and with reference to Haryana Government, Local Government Department, notification No. GSR.131/Const./Art. 309/98, dated 7th December, 1998, the Governor of Haryana hereby makes the following bye-laws, namely :-

1. Short title, application and Commencement.

(1)These by-laws may be called the Haryana Municipal (Licencing of the Test Owners) Bye-laws, 1999.(2)They shall apply to all the Municipalities in the State of Haryana.(3)They shall come into force on the date of their publication in the Official Gazette.

2. Definition

. - In these bye-laws, unless the context otherwise requires, -(a)"Act" means the Haryana Municipal Act, 1973 (Act 24 of 1973);(b)"Section" means a section of the Act; and(c)"tent owner" means a person running, a tent house for setting the temporary structures, pandals and shamianas etc. in open space and also in public buildings (used or intended to be used either ordinarily or occasionally as a place of public worship, dharamshalla, college, school, hoste, theatre, cinema shall, public hall, hospital, restaurant, marriage place, banquet hall, community hall or any other place of public assembly) for various social, public and religious functions like marriages, school or college

functions, conferences etc.

3. Grant or renewal of a licence to run tent house.

[Section 200(xx)]. - (1) No person shall run a tent house within a municipality unless a license is granted in this behalf by the Executive Officer or the Secretary (hereinafter called the, "Licencing Officer"), as the case may be. (2) An application for the grant of a licence under these bye-laws shall be made in form A appended to these bye-laws which shall be supplied by the municipality. (3) Licence shall be issued in form B appended to these bye-laws on the payment of a fee amounting to Rs. 1,000 in case of Municipal Council and Rs. 500 in case of Municipal Committee. (4) The licence of the tent house shall be renewed every year on payment of fee equivalent to 50 percent of the licence fee.

4.

Licence granted under clause 3 shall be subject to the following conditions, namely :- (i) the height of the ceiling of the structure shall not be less than 3 metres; (ii) there shall be a minimum of two illuminated exits of 2.5 metres width each in different directions and there shall be an additional illuminated exit per 100 persons; (iii) approach/Gate to the pandal shall be of 5 metres width and 5 metres height; (iv) the pandal shall not be more than 45 metres away from motorable road; (v) the exits must not be of tunnel like shape. The lines of travel from any seat to exit of the seating area shall not be greater than 15 metres; (vi) no temporary structure shall be erected near furnace railway-line, electrical sub-station, under high tension wire unless a safety distance of 15 metres is maintained both horizontal and vertical; (vii) all sides of temporary structure of pandal shall be left open if this is not possible for certain reasons in that case, the lower portions of the side walls shall by no means be fixed. This structure/pandal shall be so constructed that no portion is more than 15 metres away from any side of the affording exit; (viii) the seating capacity of the hall including a pandal if erected raised shall be calculated at the rate of 5 to 6 square feet per person with 1.5 metres wide central passage and 1.2 metres wide side passage and after every 12th row there would be a 1.2 metres wide passage inside the pandal; (ix) there shall be a minimum of 5 metres clear open space on all sides between the structure and adjacent buildings other structures for the free movement of fire tenders. This clause will not apply where sufficient space enclosed by road is available for the smooth movement of fire tenders. (x) No synthetic material including synthetic ropes or decorative papers for erecting the shamiana and pandal in the structure, shall be used. The shamiana shall be of fire retardant cloth; (xi) the material design, construction, fabrication of structures of devices shall meet the requirement for resistance to fire for a minimum of 10 minutes or total evacuation time whichever is more; (xii) the kitchen for the preparation of snacks, meals etc. shall be totally segregated at a distance of 10 metres from the main hall including pandal; (xiii) the provision for storage of water at the rate of 0.75 litre per square metre of the area of the hall including a pandal shall be made; (xiv) provision of two water and two water buckets inside and outside the pandal respectively the structure shall be regularly inspected by the Local Station Incharge and also at least 24 hours before holding such function.

5. Validity of Licence.

[Section 200(xx)]. - The licence granted under these bye-laws shall be valid upto the closing of the financial year i.e. 31st March, from the date of issue.

6. Refusal of Licence.

[Section 200(xx)]. - The Licensing Officer may refuse to grant a licence under these bye-laws. The reasons and grounds of such refusal shall be recorded and communicated to the applicant within fifteen days of such refusal.

7. Action for violation of conditions.

[Section 200(xx)]. - In case the Licensing Officer has reasons to believe that the licensee has committed a breach of any of the conditions on which licence was granted, the Licensing Officer shall, -(i)direct the licensee to remove the defects/shortcomings found at the time of inspection;(ii)suspend the licence failing to comply with instructions as (i) above;(iii)cancel the licence after giving the opportunity of being heard and restoration of licence on payment of minimum composition fee equivalent to licence fee and maximum of two times of the licence fee;(iv)if some tent owner installs a pandal without a licence, he shall be granted a licence by the Licensing Officer on payment of composition fee amounting to five times of the licence fee as prescribed under sub-clause (3) of Clause 3 of these bye-laws.

8. Permission for installation of temporary structures.

[Section 200(xx)]. - It shall be obligatory for the licensed tent owner to seek permission from the Licensing Officer for the installation of temporary structures, pandals in the open spaces as also in the public as also in the public buildings for various kinds of functions. The construction of temporary structure/pandal shall be permitted for a particular period. An application for permission shall be made in form C appended to these bye-laws which shall be supplied by the municipality. Permission shall be given by the Licensing Officer if the Licensed tent-owner undertakes fire safety measures given in these bye-laws. Such permission shall be given in form D appended to these bye-laws. A copy of the permission shall be sent by the Licensing Officer to the Station House Officer, Local Fire Station Incharge, Sub-Divisional Magistrate, Deputy Commissioner and Superintendent of Police concerned.

9. Transfer of Licence.

[Section 200(xx)]. - No licence issued under these bye-laws shall be transferable when a licensee charge his occupation or transfers the possession of ownership of the licensed tent house, he shall report such change or transfer, as the case may be, and surrender his licence for cancellation to the licensing Officer within a period of seven days of such change or transfer. In such case, no fee shall be refunded for the unexpired period of licence.

10. Appeal. 200(xx).

- Any person aggrieved by the order of the Licensing Officer may appeal to the Deputy Commissioner within 30 days from the date of communication of the order, whose decision shall be final.

11. Repeal and Savings. 200(xx).

- Any bye-laws relating to licensing of tent owners in force in the municipalities immediately before the commencement of these bye-laws are hereby repealed :Provided that any order made or action taken under the bye-laws so repealed shall be deemed to have been made or taken under the corresponding provisions of these bye-laws. Form A[See Bye-law 3(2)] To The Executive Officer/Secretary, _____ Municipality. Subject :- Request for grant/renewal of licence to run a Tent House. Sir, I/We hereby apply for the issue/renewal of the licence to run tent house to Shop No. _____ situated in _____ area/marked in the municipal area for the financial year _____.

2. I/We have studied the provisions contained in the Haryana Municipal (Licensing of Tent Owners) Bye-laws, 1999 and undertake to abide by these bye-laws.

3. A Demand Draft No. _____/Cash amounting to Rs. _____ in favour of Executive Officer/Secretary, Municipal Committee is enclosed herewith.

Yours faithfully, Dated : Name: Full Address: Form B[See Bye-law 3(3)] Licence to run a tent house under the Haryana Municipal (Licensing the Tent Owners) Bye-laws, 1999. Name of the Municipality :

1. No.

2. Date

3. Name

4. Address

is licensed to run a tent house under the Haryana Municipal/Licensing the Tent Owners Bye-laws, 1999.

5. The license is valid upto to

6. The licence is subject to the conditions laid down in the above said Bye-laws.

Signature of Licensing Officer.Entries for renewal.Form C[See Bye-laws 8]ToThe Executive Officer/Secretary,_____Municipality.Subject :- Request for grant of permission for the installation of temporary structures/pandals.Sir,I/We bearing licence No._____hereby request for the grant of permission to instal a temporary structure/pandal in the open lying at_____ (site) in public building_____ (name) for arranging a function of _____ from_____ A.M./P.M. to _____ A.M./P.M. on_____ date/dates.

2. I/We undertake to adopt the fire safety measures strictly as required in the relevant bye-laws.

Yours faithfully,Dated :Name:Full Address:Form D[See Bye-law 8]FromThe Executive Officer/Secretary,_____Municipality.To _____ No._____ Dated :Subject :- Grant of permission to instal temporary structure/pandal.Reference your application dated _____ for the grant of permission to instal a temporary structure/pandal.

2. You are permitted to instal a temporary structure/pandal from _____ A.M./P.M. to _____ A.M./P.M. on _____ date/dates in the open space lying at _____ in public building _____ (name) subject to the condition that the provisions made in the Haryana Municipal (Licensing of Tent Owner) Bye-laws, 1999, are strictly adopted.

The Executive Officer/Secretary,_____Municipality,

Endorsement No._____ Dated_____

A copy of the above is forwarded to each of the following for information and necessary action at their end :-

1. Deputy Commissioner

2. Superintendent of Police

3. Station House Officer

4. Fire Station Incharge _____ . He is directed to inspect the site 24 hours before the function starts and ensure that all fire safety measures have been adopted there strictly.

The Executive Officer/Secretary, _____ Municipality,