

Cantonments Act, 1924

Section 210 - LICENCES REQUIRED FOR CARRYING ON OF CERTAIN OCCUPATIONS

1) No person of any of the following classes, namely:--- (a) butchers and vendors of poultry, game or fish; (b) persons keeping pigs for profit, and dealers in the flesh of pigs which have been slaughtered in India; (c) persons keeping milch cattle or milch goats for profits; (d) persons keeping for profit any animals other than pigs, milch cattle or milch goats; (e) dairymen, buttermen and makers and vendors of ghee; (f) makers of bread, biscuits or cake, and vendors of bread, biscuits or cake made in India; (g) vendors of fruit or vegetables; (h) manufacturers of aerated or other potable waters or of ice or ice-cream and vendors of the same; a[(i)] vendors of any medicines, drugs or articles of food or drink for human consumption (other than the flesh of pigs, milk, butter, bread, biscuits, cake, fruit, vegetables, aerated or other potable waters or ice or ice-cream) which are of a perishable nature; c[(ia) vendors of spirituous liquor:] (j) vendors of water to be used for drinking purposes; (k) washermen; (l) dealers in hay, straw, wood, charcoal or other inflammable material; (m) dealers in fire-works, kerosene oil, petroleum or any other inflammable oil or spirit; (n) tanners and dyers; (o) persons carrying on any trade or occupation from which offensive or unwholesome smells arise; (p) vendors of wheat, rice and other grain or of flour; b[*] (q) makers and vendors of sugar or sweetmeats d[*] (r) barbers and keepers of shaving saloons; e[(s) any other persons carrying on such other trade, calling or occupation as the Central government may, by notification in the Official Gazette, specify in this behalf;] shall carry on his trade, calling or occupation in any part of a cantonment unless he has applied for and obtained a licence in this behalf from the d[Board]. (2) A licence granted under sub-section (1) shall be valid f[until the end of the year in which it is issued] and the grant of such licence shall not be withheld by the e[Board] unless it has reason to believe that the business which it is intended to establish or maintain would be offensive or dangerous to the public g[or that the premises in which the business is intended to be established or maintained h[are unfit or unsuitable] for the purpose]. (3) Notwithstanding anything contained in sub-section (1),- (a) no person who was, at the commencement of this Act, carrying on his trade, calling or occupation in any part of a cantonment shall be bound to apply for a licence for carrying on such trade or occupation in that part until he has received from the e[Board] not less than three months' notice in writing of his obligation to do so, and if the e[Board] refuses to grant him a licence, it shall pay compensation for any loss, incurred by reason of such refusal; (b) no person shall be required to take out a licence for the sale or storage of petroleum or for the sale or possession for sale of poisons or white arsenic in any case in which he is required to take out a licence for such sale, storage or possession for sale by or under the i[Petroleum Act, 1934], or the Poisons Act, 1919. (4) The e[Board] may charge for the grant of licences under this section j[such reasonable fees] as it may fix with the previous sanction of the k[Central Government]. Act 15 of 1983, Clause 122.-Section 210 of the Act provides for the issue of licences for carrying on certain occupations. It is proposed that vendors of spirituous liquors should also obtain a licence for carrying on the trade. An enabling provision is also being made empowering the Board to issue licences for such other trade, calling or occupations as the Central Government may notify. The reference to the Indian Petroleum Act 1899. in section 210(3) is being changed into a reference to the Petroleum Act, 1934. At present section 210(4) provides that licence fee should not exceed the cost of granting the licence. As the precise assessment of cost is not possible, it is proposed to amend the provision to provide that fee chargeable by the Board in granting any licence should be reasonable. The other changes are verbal. - Gaz. of Ind., 9-7-1982, Pt. II, S. 2. E.xt., P. 56 (No. 26).