



**THE DISTRICT/CITY DISTRICT GOVERNMENT
REGULATIONS OF THE TRADE OF CHEMICALS
(MODEL) BYE-LAWS, 2013**

LOCAL GOVERNMENT & COMMUNITY DEVELOPMENT DEPARTMENT

FEBRUARY, 2013

**THE [NAME OF DISTRICT/CITY DISTRICT GOVERNMENT] REGULATIONS
OF THE TRADE OF CHEMICALS BYE-LAWS, 2013**

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**THE [NAME OF DISTRICT/CITY DISTRICT GOVERNMENT] REGULATIONS
OF THE TRADE OF CHEMICALS BYE-LAWS, 2013**

PREAMBLE:

WHEREAS it is expedient to control the acid throwing incidents and to regulate the trade of chemicals liquid or otherwise;

AND WHEREAS the circumstances exist that render it necessary to take immediate steps to frame the *District/City District Government Regulations of the Trade of Chemicals Bye-Laws, 2013*;

AND WHEREAS under Section 192 read with Part-II of the Fifth Schedule of the Punjab Local Government Ordinance, 2001, a Zila Council may, in its ambit of responsibilities, make bye-laws to carry out the purposes of the Ordinance *ibid*;

NOW, THEREFORE, in exercise of the aforesaid powers and all other enabling powers in this behalf, *Zila Council* _____ through resolution No. _____ dated _____ has approved the following byelaws which are hereby notified:-

1. Short title, extent and commencement.- These Bylaws may be called “The [Name of District/City District Government] Regulations of the Trade of Chemicals Bye-Laws, 2013”.

- (i) These Bylaws shall extend to the whole area of the [Name of of District/City District Government].
- (ii) These Bylaws shall come into force with immediate effect.

2. Definitions.- (1) In these bylaws, unless there is anything repugnant in the subject or context the following terms and expressions shall have the meanings hereby assigned to them:

- (i) **“Chemical”** means all kind of acids which are injurious for human body and may cause hurt to the life or damage, deface or dismember any organ of the human body when it is swallowed, inhaled, comes into contact or received into human body like hydrofluoric acid, hydrochloric acid, nitric acid, trichloroacetic acid, sulfuric acid, perchloric acid, fluoroantimonic acid etc.
- (ii) **“Government”** means Government of the Punjab;
- (vi) **“Licence”** means permission of District/City District Government to carry on a trade of chemical in accordance with the provisions of these bye-laws;
- (vii) **“Licensee”** means a person who has a licence under these bye-laws;
- (v) **“Ordinance”** means the Punjab Local Government Ordinance, 2001;
- (vi) **“Trade”** means a business of storing, keeping, buying or selling the chemical.

(2) Words and expressions used herein but not defined in these bye-laws shall have the same meanings as are assigned to them in the Ordinance.

3. Prohibition.- No person shall carry on the trade without having licence under these bye-laws.

4. Application for grant of licence.- (1) If a person intends to carry on the trade of chemical anywhere in the territorial limits of [Name of District/City District Government],

shall apply to the District Coordination Officer, or an officer specifically authorized by him, in writing for grant of a licence in this behalf;

(2) No application for grant of licence shall be entertained unless submitted on prescribed **Form-I** and accompanied by the following documents:

- (a) Copy of CNIC of the applicant;
- (b) Passport size recent photograph;
- (c) Description of the premises;
- (d) Applicant's ownership/title documents in respect of the premises/place wherein the trade is to be undertaken;
- (e) Tenancy agreement, if any; and
- (f) Receipt/Challan Form of payment of licence fee.

(3) On receipt of an application, the District Coordination Officer or any Officer authorized by him, may cause inspection of the premises.

(4) The application for grant of license under these by-laws shall be decided within a period of fourteen days from the date of receipt of application.

(5) In case of rejection of the application, the reasons thereof shall be communicated to the applicant in writing.

(6) The license shall be terminated on the death of the licensee.

(7) The license shall be non-transferable.

5. Fee for licence.- Fee for new licence and renewal fee shall be levied by the [Name of District/City District Government] under Section 116 of the Ordinance and determined in accordance with the procedure laid down in the Punjab Local Government (Taxation), Rules 2001.

6. Action against unlicensed trade.- Any person who was, on the date of notification of these bye-laws carrying on the trade in any part of [name of District/City District Government] shall be bound to immediately apply for a licence for carrying on the trade under these bye-laws. In case of non-compliance, the premises of such trade shall be sealed.

7. General conditions for licence.- The licensee shall;

- (1) observe the prescribed terms and conditions under these bye-laws;
- (1) keep the licence at the licensed premises and the Licence No./Registration No. shall be displayed at a conspicuous place in the premises, and on demand shall produce it for inspection;
- (2) not in any case use or allow to be used licensed premises for any other purpose other than the one for which licence has been issued;
- (3) maintain and keep a Register on the premises in which he shall enter all the record of sale of the chemicals as per **Form-II**;
- (4) get his licence renewed in the month of July each year on payment of prescribed fee; and
- (5) intimate the District/City District Government on closing of the trade or any change in the premises/location.

8. Permission for purchase of chemical.- (1) A person intends to purchase the chemical shall apply to the District Coordination Officer or an officer authorized by him for purchase of the chemical on **Form-III**.

9. Quantity of chemical.- The City/District Government shall determine the quantity of chemical to be retained by a licensee at a time.

(2) The City/District Government shall determine the quantity of chemical intended to be purchased by a person.

10. Sale of Chemical.- (1) The licensee shall not sell the chemical to any person unless he has written permission [*in original*] of the respective District Coordination Officer or an officer authorized by him.

(2) He shall retain the original copy of the permission and keep it in the record.

(3) He shall not sell the quantity more than the quantity allowed in the permission.

11. Maintenance of record of applications for grant/renewal of licenses.- (1) The District/City District Government shall maintain the record of the applications for grant and renewal of licenses as per **Form-IV**.

(2) The District/City District Government shall check the record of sale/ purchase of chemicals of the licensee periodically.

12. Power to search the premises.- (1) The District Coordination Officer or an officer specifically authorized by him, in writing, may search any place in which he has reason to believe or to suspect that any chemical is possessed or sold in contravention of these bye-laws.

13. Cancellation of licence.- (1) The District/City District Government may cancel the licence in case of violation of any provision of these bye-laws by the licensee.

(2) Before cancellation of licence, the licensee shall be informed in writing.

(3) No licence shall be cancelled without affording an opportunity of hearing to the licensee.

14. Public awareness.- The District/City District Government shall make arrangements of public awareness through posters, notice boards, newspapers and electronic media regarding the enforcement of these bye-laws and the responsibilities of the licensee.

15. Appeals.- Any person aggrieved by an order passed under these bye-laws may file appeal under section 190 of the Ordinance to the Appellate Authority as prescribed under the Punjab Local Government (Appeal) Rules, 2002.

16. Penalties.- A person doing an act without licence or permission shall be proceeded against under sections 141 and 143 read with the Fourth Schedule and Eighth Schedule of the Ordinance, for imposition of punishment or fine thereon.

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FORM-I

[See bye-law 4]

To

The District Coordination Officer,
-----Subject:- **APPLICATION FOR GRANT OF LICENCE FOR THE TRADE OF CHEMICAL**

Sir,

I intend to carry on the trade of _____.

2. I may kindly be permitted and granted a licence for carrying on the said trade for one year ending 30th June (Year).

3. I under-take to abide by all the rules and bye-laws applicable to the subject matter, as directed and conveyed by the {*Name of District/City District Government*} from time to time.

4. I assure that I will keep only the following chemicals in the quantity mentioned against each [mention the name and quantity of each chemical] or as may be allowed:-

Sr.No.	Name of the Chemical	Quantity

5. After the expiry of the licence period, I will myself apply for renewal of the licence.

Applicant's signature _____

Applicant's Name _____

Father's/Husband's Name _____

CNIC No. _____

Residential Address _____

Description of Premises _____

Contact No. _____

The following documents are enclosed:

- (a) Copy of CNIC of the applicant;
- (b) Passport size recent photograph;
- (c) Description of the premises;
- (d) Title of the property;
- (e) Tenancy Agreement, if any; and
- (f) Receipt/ Challan Form regarding payment of licence fee.

FORM-II
[See bye-law 7]

Name of the licensee. _____ License No. _____

Name of chemical	
Permission No. and Date	
Quantity sold	
Balance in stock	
Date of sale	
Name and address of purchaser with CNIC No.	
Purpose of which the chemical was sold	
Signature and thumb impression of the purchaser	
Signature of vendor/licensee	

Note: Original copy of the permission shall be annexed.

FORM-III
[See bye-law 8]

To

The District Coordination Officer,

Subject:- **APPLICATION FOR GRANT OF PERMISSION TO PURCHASE THE CHEMICAL**

Sir,

I intend to purchase [name of the chemical] in a quantity of [mention the quantity] for the purpose of [mention the purpose].

2. I assure that I am over 18 years of age. I shall not use the chemical except for the purpose mentioned above.

Applicant's signature_____

Applicant's Name_____

Father's/Husband's Name_____

CNIC NO._____

Residential Address_____

Contact No. _____

The following documents are enclosed:

- (a) Attested copy of CNIC of the applicant;
- (b) Passport size recent photograph, duly attested;

FORM-IV
[See bye-law 11]

[Name of District/City District Government]

Name and address of the applicant	
License No. [if granted]	
Date of issue	
License renewed on-----or otherwise	
Reasons for rejection of license [in case of rejection]	