

# THE TEHSIL/TOWN MUNICIPAL ADMINISTRATION REGULATION OF MARKETS (TYRE VENDORS) MODEL BYE-LAWS, 2011.

## CONTENTS

1. SHORT TITLE, EXTENT AND COMMENCEMENT
2. DEFINITIONS
3. GENERAL PROCEDURE OF LICENCING
4. APPLICATION FOR GRANT OF LICENCE
5. FEE FOR LICENCE
6. NOTICE TO PERSON CARRYING ON UNLICENCED TRADE
7. ISSUANCE OF LICENCE
8. INTIMATION OF THE REJECTION WITH REASONS TO THE APPLICANT
9. GENERAL CONDITION OF LICENCE
10. INSPECTION OF THE PREMISES OF THE LICENCEE
11. CANCELLATION OF LICENCE
12. MAINTENANCE OF RECORD OF APPLICATIONS FOR GRANT/RENEWAL OF LICENCES
13. SURVEY AND MAINTENANCE OF RECORD OF VENDORS
14. POWER OF ENTRY AND SEIZURE
15. APPEALS
16. PENALTIES

**THE TEHSIL/TOWN MUNICIPAL ADMINISTRATION REGULATION  
OF MARKETS (TYRE VENDORS) MODEL BYLAWS, 2011.**

**PREAMBLE:** WHEREAS it is expedient to control and check rapidly increasing unauthorized, unlicensed and unapproved trade of tyres which is cause of breeding dengue virus and to regulate the same in the larger public interest;

AND WHEREAS the circumstances exist that render it necessary to take immediate steps to frame the Tehsil / Town Municipal Administration Regulation of Markets (Tyre Vendors) Model Bye-laws, 2011;

AND WHEREAS under Section 192 read with Part-II of the Fifth Schedule of the Punjab Local Government Ordinance, 2001, the Tehsil /Town 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 provisions in this behalf, the Tehsil/Town Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ dated \_\_\_\_\_ has approved the following bye-laws which are hereby notified:-

## **1. SHORT TITLE, EXTENT AND COMMENCEMENT:**

- (i) These Bye-laws shall be called “The Punjab Tehsil/Town Municipal Administration Regulation of Markets (Tyre Vendors) Model Bye-laws, 2011”.
- (ii) These Bye-laws shall extend to the whole of the local area of the Tehsil/Town Municipal Administration excluding cantonment areas; and
- (iii) These Bye-laws shall come into force with immediate effect.

## **2. DEFINITIONS**

In these bye-laws, unless there is anything repugnant in the subject or context, the following terms and expressions shall have the meanings hereby assigned to them:-

- (a) “Competent Authority” means the Tehsil/Town Municipal Officer;
- (b) “Government” means Government of the Punjab;
- (c) “Licence” means permission to carry out a trade within a local area of TMA under such terms and conditions prescribed under these bye-laws;
- (d) “Ordinance” means the Punjab Local Government Ordinance, 2001;
- (e) “Trade” means a business of storing, sale, purchase and repair of tyres;
- (f) “TMA” means the Tehsil/Town Municipal Administration; and
- (g) “Warehouse” means a place used for storing of all kind of articles relating to the trade of tyres and it includes a market or a shop where an activity of sale, purchase and repair of tyres is undertaken.

## **3. GENERAL PROCEDURE OF LICENCING**

No person shall carry out a trade at any place in the local area of the TMA unless a licence has been obtained in this behalf from the TMA.

#### **4. APPLICATION FOR GRANT OF LICENCE**

- (i) If a person intends to carry on a trade anywhere in the local area of the TMA, he shall apply to the Tehsil/Town Officer (Regulation) in writing for grant of a licence in this behalf;
- (ii) No application for grant of licence shall be entertained unless it is submitted in the prescribed Form-I and accompanied by the following documents:
  - (a) Copy of CNIC of the applicant;
  - (b) Description of the premises;
  - (c) Applicant's ownership/title documents in respect of the premises/place wherein the trade/business is to undertake;
  - (d) Tenancy agreement, if any; and
  - (e) Receipt/Challan Form regarding payment of licence fee; and
- (iii) The Competent Authority shall make final decision regarding grant of licence within seven (7) days after receipt of the application.

#### **5. FEE FOR LICENCE**

- (i) The fee for licences shall be levied by the TMA under Section 116 of the Ordinance and determined in accordance with the procedure laid down in the Punjab Local Government (Taxation) Rules, 2001;
- (ii) The prescribed fee shall be deposited in the TMA's local fund; and
- (iii) No refund of fee shall be allowed, in case, a licence is issued.

**6. NOTICE TO PERSON CARRYING ON UNLICENCED TRADE**

- (i) Any person who was, on the date of notification of these bye-laws carrying on his trade in any part of a local area, shall be bound to immediately apply for a licence for carrying on such trade in that part after receiving a notice under the prescribed Form-II in this behalf from the TMA to do so; and
- (ii) On receipt of a complaint or on inspection by the Tehsil/Town Officer (Regulation) or any Inspector designated by the TMA, if it is found that some person is carrying on a trade at any place within the local area of the TMA without obtaining a licence required under these bye-laws, the Tehsil/ Town Officer (Regulation)/ Inspector shall issue a notice under the prescribed Form-III requiring such person to close his trade and apply for grant of the licence immediately on receipt of the notice. In case of non-compliance, the premises shall be sealed by the TMA.

**7. ISSUANCE OF LICENCE**

- (i) In case the competent authority approves the application for grant of a licence, the applicant shall be issued a licence under the prescribed Form-IV, for a financial year ending 30<sup>th</sup> of June; and
- (ii) The licence shall be non-transferable. Any person taking-over the running business of storing, sale, purchase and repair of tyres shall be liable to obtain a licence in this behalf.

**8. INTIMATION OF THE REJECTION WITH REASONS TO THE APPLICANT**

The grant of a licence shall not be withheld by the TMA unless it has reasons to believe that the trade is a nuisance or is likely to be dangerous to the public life and health. In case, the competent authority does not

allow grant of a licence, the applicant shall be intimated in writing by the Tehsil/Town Officer (Regulation) with reasons thereon.

**9. GENERAL CONDITION OF LICENCE**

- (i) The licensee shall be bound to the observance of the prescribed terms and conditions appended to these bye-laws and shall not be allowed in any case to sublet or transfer the licence to any other person;
- (ii) The licensee shall always keep the licence at the licenced premises and the licence No./registration No. shall be displayed on the front top of the premises. The licensee shall, on demand, produce it for the inspection of any officer of the TMA authorised by it;
- (iii) The licensee shall keep the licenced premises in a clean and sanitary condition and shall provide ventilation, drains, latrines, urinals and other sanitary conveniences for the use of workers employed therein;
- (iv) The licensee shall not in any case use or allow to be used licenced premises for any other purpose other than the one for which licence has been issued;
- (v) Licenced premises shall be restricted as per approval and no encroachment shall be allowed;
- (vi) The TMA may, in the larger public interest, specify in writing separately the quantity of any article or material to be kept in warehouse at a time; and
- (vii) Any other condition which the TMA may deem appropriate to specify to any of the trade.

**10. INSPECTION OF THE LICENCED PREMISES**

- (i) The Tehsil/Town Officer (Regulation) or any Inspector designated as such by the TMA in this behalf, may inspect any premises, where the

trade is being carried on. The Inspecting Officer shall, during the course of inspection, especially ensure that:

- (a) The licence has been displayed at a conspicuous place; and
  - (b) All terms and conditions required under these bye-laws are being followed by the licensee in letter and spirit.
- (ii) The Tehsil/Town Officer (Regulation) shall maintain the record of inspections in the prescribed Form-V.

**11. CANCELLATION OF LICENCE**

The TMA may cancel the licence in case of breach of any term/condition of these bye-laws by the licensee. Before cancellation of licence, the licensee shall be informed in writing. No licence shall be cancelled without affording an opportunity of hearing to the licensee.

**12. MAINTENANCE OF RECORD OF APPLICATIONS FOR GRANT/RENEWAL OF LICENCES**

The Tehsil/Town Officer (Regulation) shall maintain the record of the applications for grant and renewal of licences in the prescribed Form-VI.

**13. SURVEY AND MAINTENANCE OF RECORD OF TRADERS**

The Tehsil/Town Officer (Regulation) shall cause the survey to be conducted at the beginning of each financial year to have complete list and particulars of all the traders in the local area of the TMA and maintain a complete record.

**14. POWER OF ENTRY AND SEIZURE**

The Tehsil/Town Officer(Regulation) or any Inspector, authorized by the TMA in writing in this behalf, may at any time enter into any warehouse, premises, market or shop within the jurisdiction of the TMA and, in case,

of serious threat to the public health, safety or danger to the life, may seize and seal the premises.

**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**

In addition to any other action as provided in these bye-laws, the 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.

## **GENERAL CONDITIONS OF LICENCE**

(See bye-law 9)

- Daily replace water from tub containing old water with fresh so as to prevent any chances of mosquito breeding/emergence
- Use mosquito coils for tyres kept in dark rooms
- Discard all unused tyres and dispatch them to shredding companies
- Make four 2.5inch size holes at the bottom of the tyres so as to eliminate any chance of water collection/stagnation
- Paint all such tyres with white and fill them with sand
- Use such tyres as flowering pots
- Avoid high staking of tyres
- Keep tyres vertical as these will capture relatively small quantity of water
- Avoid high vertical staking of tyres
- Monitor tyres exactly after every three days of rainfall
- Keep all loose tyres intact and observe water in them along with larval growth
- Monitor open unsealed/ broken seal tyres daily for emergence of larvae
- Staked tyres must be covered with a lid at the top of the tyres so as to prevent water from going to the bottom of tyres
- Vertical tyres increase storage capacity
- Leave proper walking distance areas between the rows so as to monitor water or larvae breeding
- Vertical tyres ensure better fogging throughout the length

- Larvicidal activity can be carried out by removing two tyres from the row followed by spraying within the row both left and right side
- Never store tyres in open space, lawn, grassy areas on roof tops and under water tanks
- Sleeping close to and between the rows of tyres increases chances of mosquito bites at any time during the day as well as during the night.
- Keep tyres stored in warehouses free from bird nests so as to avoid any vector borne disease transmission
- Ensure that all unloaded tyres at your warehouse are free from water and their ribbons are intact
- Monitor and remove all breeding sites close to your warehouses
- Ensure your warehouses are well protected from rodents as these may serve as source of blood for mosquitoes especially *Aedes albopictus*.
- Fogging is the only recommended option however, in epidemic times Insecticidal Spray may be used.

**FORM-I**  
**(See bye-law 4)**

To

The Tehsil/Town Officer (Regulations),  
Tehsil/Town Municipal Administration,

Subject:- **APPLICATION FOR GRANT OF LICENCE FOR CARRYING ON THE TRADE/ BUSINESS OF STORING, SALE, PURCHASE AND REPAIR OF TYRES.**

Sir,

I intend to carry on the trade /business of storing, sale, purchase and repair of tyres at .....

2. I may kindly be permitted and granted a licence for carrying on the said trade / occupation, for one year ending 30<sup>th</sup> June.

3. I under-take to abide by all the rules, regulation and bylaws applicable to the subject matter, as directed and conveyed by the T.M.A from time to time.

4. After the expiry of the period licence, I will myself apply for renewal thereof on my own.

Applicant's signature\_\_\_\_\_

Applicant's Name\_\_\_\_\_

Father's/Husband's Name\_\_\_\_\_

CN.I.C NO.\_\_\_\_\_

Residential Address\_\_\_\_\_

Contact No. \_\_\_\_\_

Address of Occupation\_\_\_\_\_

Contact No.\_\_\_\_\_

The following documents are enclosed:

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

**FORM-II**  
(See Sub-bye-law 6(i))

Tehsil/Town Municipal Administration

---

Notice No. \_\_\_\_\_, Dated \_\_\_\_\_

To

(Name) \_\_\_\_\_

Address \_\_\_\_\_

Subject:- **NOTICE FOR UNLICENCED TRADE/BUSINESS**

It has been noticed that you are carrying on the trade/ business of storing, sale, purchase and repair of tyres at \_\_\_\_\_ in the jurisdiction of Tehsil/Town Municipal Administration without obtaining a licence regulating such trade/business.

2. You are directed to immediately apply for obtaining the licence in this behalf from the T.M.A. In case, you fail to obtain the licence within a period of one month, the warehouse/place/market/shop whereon you are undertaking the above trade/business would be seized/sealed and the expenditure incurred thereon will be borne by you. If you default in payment of such expenditures, it will be recovered as arrears of land revenue.

**Tehsil/Town Officer (Regulations)**  
**Tehsil/Town Municipal Administration**

**FORM-III**  
(See Sub-bye-law 6(ii))

**Tehsil/Town Municipal Administration**

---

Notice No. \_\_\_\_\_, Dated \_\_\_\_\_

To

(Name) \_\_\_\_\_

Address \_\_\_\_\_

Subject:- **NOTICE FOR UNLICENCED TRADE/BUSINESS**

It has been noticed that you are carrying on the trade/ business of storing, sale, purchase and repair of tyres at \_\_\_\_\_ in the jurisdiction of Tehsil/Town Municipal Administration without obtaining a licence regulating such trade/business.

2. You are directed to immediately close the trade/business and apply for obtaining the licence in this behalf from the T.M.A. In case, you fail to obtain the licence within a period of one month, the warehouse/place/market/shop whereon you are undertaking the above trade/business would be seized/sealed and the expenditures incurred thereon will be borne by you. If you default in payment of such expenditures, it will be recovered as arrears of land revenue.

**Tehsil/Town Officer (Regulations)**  
**Tehsil/Town Municipal Administration**

**FORM-IV**

(See bye-law 7)

**Tehsil/Town Municipal Administration**

From

The Tehsil/Town Officer (Municipal Regulations),  
Tehsil/Town Municipal Administration,  
\_\_\_\_\_

To

(Name) \_\_\_\_\_  
Address \_\_\_\_\_

Subject:- **LICENCE FOR CARRYING ON TRADE/ BUSINESS OF  
STORING, SALE, PURCHASE AND REPAIR OF TYRES**

With reference to your application dated \_\_\_\_\_ for grant of licence, you are hereby granted a licence for carrying on the trade / business of storing, sale, purchase and repair of tyres at \_\_\_\_\_ as requested.

2. During the term of licence you will abide by all prescribed regulations and bye-laws on the subject matter and as may be directed or conveyed by the T.M.A from time to time.

The licence is granted to you as per following particulars:-

Name \_\_\_\_\_  
Father's / Husband's Name \_\_\_\_\_  
CN.I.C NO. \_\_\_\_\_  
Trade/Business \_\_\_\_\_  
Term of licence \_\_\_\_\_  
Licence Fee Paid \_\_\_\_\_  
Address \_\_\_\_\_  
Description of the premises \_\_\_\_\_

**Tehsil/Town Officer (Regulations)  
Tehsil/Town Municipal Administration**

**FORM-V**  
**(See bye-law 10)**

**Record of Inspection of Licences and Premises,**

**Tehsil/Town Municipal Administration**

Sr. #	Name & Designation of the Inspecting Officer	Date & Time of Inspection	Name & address of the person whose premises is inspected	Whether licenced or unlicenced Licence No. in case on licenced premises	Type of trade / business	Findings and recommendations of the Inspecting Officer with signatures and stamp	Action taken by TMA

**FORM-VI**  
**(See bye-law 12)**

**Record of applications for grant of licences**

**Tehsil/Town Municipal Administration**

1.	Name of the Applicant	
2.	Father's / Husband's Name	
3.	CNIC No.	
4.	Place of Trade	
7.	Total area of shop	
9.	Date of application for grant /renewal of licence	
10.	Licence No. date of issue	
11.	Date of Rejection of application	
12.	No. & Date of Notice in case of the person carrying on unlicensed trade	
13.	Date of receipt of appeal	
14.	Proceedings & decision	
15.	Status of Implementation of decision	
16.	No. & date of the recovery notice if it is to be recovered as arrears of land revenue	
17.	Reply with date submitted by the licensee	
18.	Communication of the decision of TMA with date	
19.	Fate of recovery	
20.	Remarks	