

**THE MUNICIPAL COMMITTEE, CHOA SAIDAN SHAH, (TRADE OF CRUSHING,
GRINDING OF STONES AND QUARTZ MATERIALS) BYE LAWS, 2017.**

PREAMBLE:

WHEREAS certain unfortunate incidents of loss of human life have been occurred due to silicosis disease, it is, therefore, expedient to control and check the trade of crushing, grinding of stones and quartz materials to safeguard the public health and to regulate the same within the specified parameters;

AND WHEREAS the circumstances exist that render it necessary to take immediate steps to frame the Municipal Committee, Choa Saidan Shah (Trade of Crushing, Grinding of Stones and Quartz Materials), Byelaws, 2017;

AND WHEREAS under Section 145 read with Chapter XIX of the Punjab Local Government Act, 2013, the 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 House of Municipal Committee Choa Saidan Shah through resolution **No.06** dated **08-08-2017** has approved the following bye-laws which are hereby notified.


CHAIRMAN
MUNICIPAL COMMITTEE
CHOA SAIDAN SHAH

**THE MUNICIPAL COMMITTEE, CHOA SAIDAN SHAH, (TRADE OF CRUSHING,
GRINDING OF STONES AND QUARTZ MATERIALS) BYE LAWS, 2017**

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1. Short title and commencement.– (1) These Byelaws may be called “The Municipal Committee, Choa Saidan Shah (Trade of Crushing, Grinding of Stones and Quartz Materials), Byelaws, 2017.

(2) These bye-laws shall extend to the whole area of the Municipal Committee, Choa Saidan Shah.

(3) 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 expressions shall have the meaning hereby respectively assigned to them:

(a) “**Dust**” means a cloud of powdered stone / silica raised in the atmosphere as a result of crushing and grinding of stone and quartz materials in a machine to break them into smaller stones and ultimately into powdered form;

(b) “**Licence**” means a permit granted under these bye-laws to carry on the trade;

(c) “**Ordinance**” means the Punjab Local Government Act, 2013;

(d) “**Silica**” means silica dust or crystalline dust, a common mineral in the earth’s crust found in many types of rocks, including sand and quartz materials;

(e) “**Silicosis**” means a lung disease caused by exposure to silica dust or crystalline silica;

(f) “**Chief Officer**” means the Chief Officer of the “Municipal Committee;

(g) “**Municipal Committee**” means the Municipal Committee, Choa Saidan Shah established under the Ordinance;

(h) “**Trade**” means crushing and grinding of stones and quartz materials.

3. Conditions to carry the trade.– (1) No person shall carry on the trade except under and in conformity with the conditions of a licence granted under these bye-laws by the Municipal Committee.

(2) The Municipal Committee shall, immediately after the notification of these bye-laws, issue notice to a person carrying on the trade within its local area and direct him to obtain licence within seven days.

(3) In case a person fails to obtain licence within the prescribed time, the Municipal Committee shall take legal action against him under the Ordinance including sealing of the premises.

4. Prohibited Zone.–

(1) No person shall carry the trade in the following area:

(a) residential or commercial areas.

(b) Within the radius of 500 meters from the shoulders of National Highways / Provincial Highways.

(2) Any restrictions imposed by the Labour Department, Environment Protection Department, Mines and Minerals Department, C&W Department, Health Department, Development Authority and National Highways Authority or by any law for the time being in force.

(3) Under any executive order issued by the Municipal Committee Choa Saidan Shah.

5. Application for grant of Licence.– (1) If a person intends to carry the trade anywhere in the local area of the Municipal Committee Choa Saidan Shah, he shall apply to the Municipal Officer (Regulations) 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) Recent three No. of Passport size photographs;
- (c) Title of the property;
- (d) Tenancy / Lease Agreement, if any;
- (e) Receipt / Challan Form regarding payment of licence fee;
- (f) Particulars of the plant to be installed;
- (g) Location Plan of the premises, (A location plan, drawn to a scale not smaller than 1:1000 showing the position of the premises);
- (h) Detail of the measures to be provided for the disposal of and to prevent nuisance arising from atmospheric pollutants, waste material, effluent, emission, refuse, environmental management plan to control noise, dust and vibrations;
- (i) NOCs from District Officer (Environment/EPA Punjab), NHA, C&W Department; and
- (j) Any other particulars, plans or drawings which the Municipal Officer (Regulations), Municipal Committee, Choa Saidan Shah may require.

(3) The Municipal Officer (Regulations) shall send the application for licence to concerned Inspector who shall inspect the premises and send his report within seven days to Municipal Officer (Regulations).

(4) The Municipal Officer (Regulations) shall within seven days after the receipt of inspection report of the Inspector, either grant licence on **Form-II** for a financial year ending 30th of June or refuse the licence with reason(s) to be communicated to the applicant in writing on **Form-III**.

6. Fee for License.– (a) Fee for new license and renewal fee shall be levied by the Municipal Committee in accordance with the procedure laid down in the Punjab Local Government (Taxation) Rules, 2016.

(b) The prescribed fee shall be deposited in the local fund of Municipal Committee

7. General terms and conditions for License.– (1) The licensee shall:

- (a) maintain material safety data sheets of crushing material (stone/quartz) and display them in Urdu at visible locations in the workplace;
- (b) arrange a thorough Health, Safety and Environment Risk Assessment of the workplace from certified laboratory and take necessary mitigation measures;

- (c) ensure health examination of the workers on bi-annual basis through a registered medical practitioner and maintain the record of each employee especially to control the silicosis;
- (d) provide specialized personal protective equipment to the employees for prevention from dust and silica;
- (e) made available emergency eye wash shower at the workplace;
- (f) ensure proper cross ventilation and well lit premises;
- (g) ensure that no child is employed;
- (h) provide / install dust control devices for the protection of workers and surroundings including wet scrubbers, mechanical scrubbers, dust suction blowers and humidity maintenance, etc.
- (i) observe the prescribed terms and conditions under these bye laws & keep the licence in the licensed premises;
- (j) not in any case use or allow to be used licensed premises for any other purpose other than the one for which license has been issued;
- (k) get his license renewed in the month of July each year on payment of prescribed fee; and
- (l) intimate the Municipal Committee on closing of the said trade or any change in the premises / location.

(2) This licence does not absolve the licensee to obtain other mandatory licences / permissions / permits to carry out such trade.

8. Inspection of the Licensed Premises and Renewal of Licence.— The Municipal Officer (Regulations) or any Inspector designated as such by the Municipal Committee in this behalf, may inspect any premises, where the trade is being carried on. The Inspecting Officer shall, during the course of inspection, ensure that

- (i) The license is displayed at a conspicuous place;
- (ii) All terms and conditions required under these bye laws are being followed by the licensee in letter and spirit.
- (iii) The Municipal Officer (Regulations) shall maintain the record of inspections.
- (iv) The license shall be renewed annually after receiving a satisfactory inspection report.

9. Power of Entry and Seizure.— The Municipal Officer (Regulations) or any Inspector, as such designated by the Municipal Committee in writing in this behalf, may at any time enter into any premises being used for the trade within the jurisdiction of the Municipal Committee and, in case of serious threat to the public health, safety or danger to the life, may seal the premises.

10. Cancellation of Licence.— (1) In case of any serious threat to the public health, safety or welfare or danger to life and property, the Enforcement Inspector may, in his area of jurisdiction in addition to imposition of fine or initiating prosecution under these bye laws.

- (a) Suspend any work;
- (b) Seize the goods;
- (c) Seal the premises;
- (d) Demolish or remove work; and
- (e) Issue directions for taking corrective measures in the time specified by him.

(2) The Municipal Committee may cancel the licence in case of violation of any provision of these bye-laws by the licensee. Before cancellation of licence, the licensee shall be informed in writing.

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

(4) The Municipal Committee may reject any application for grant of licence/renewal without assigning any reason in the best public interest.

11. Public Awareness.— The Municipal Committee will make arrangement of public awareness through posters, notice boards, newspapers and electronic media regarding the enforcement of these bye-laws and the responsibilities of the trade owners.

12. 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, 2017.

13. Penalties.— In addition to any other action as provided in these bye-laws, the person doing an act without license or permission shall be proceeded against under the Punjab Local Government Act, 2013, for imposition of punishment or fine thereon.

14. Responsibility of Enforcement.— The Municipal Officer (Regulations) shall be responsible to enforce these bye laws.


CHAIRMAN
MUNICIPAL COMMITTEE
CHOA SAIDAN SHAH

FORM-I
(see bye-law 5)

To

The Municipal Officer (Regulations),
Municipal Committee,
Choa Saidan Shah.

Subject:- **APPLICATION FOR GRANT OF LICENCE FOR THE TRADE OF CRUSHING, GRINDING OF STONES AND QUARTZ MATERIALS**

Sir,

I intend to established/operate the trade under the Municipal Committee (Trade of Crushing, Grinding of Stones and Quartz Materials) Bye-laws, 2017.

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

3. I under-take to abide by the bye-laws applicable to the subject matter and all directions issued by the Municipal Committee, Choa Saidan Shah from time to time.

4. After the expiry of the licence period, I will myself apply for renewed of the licence.

Applicant's Signature_____

Applicant's Name_____

Father's/Husbands Name_____

C.N.I.C No._____

Residential Address _____

Contact No._____

Following documents are enclosed.

- (a) Copy of CNIC of the applicant;
- (b) Recent three No. of Passport size photographs;
- (c) Title of the property;
- (d) Tenancy / Lease Agreement, if any;
- (e) Receipt / Challan Form regarding payment of licence fee;
- (f) Particulars of the plant to be installed;
- (g) Location Plan of the premises, (A location plan, drawn to a scale not smaller than 1:1000 showing the position of the premises);
- (h) Detail of the measures to be provided for the disposal of and to prevent nuisance arising from atmospheric pollutants, waste material, effluent, emission, refuse, environmental management plan to control noise, dust and vibrations; and
- (i) NOCs from District Officer (Environment/EPA Punjab), NHA, C&W Department.

FORM-II
(see bye-law 5)

MUNICIPAL COMMITTEE, CHOA SAIDAN SHAH

From

The Municipal Officer (Regulations),
Municipal Committee, Choa Saidan Shah

To,

(Name) _____

Address _____

Subject:-

**LICENCE FOR THE TRADE OF CRUSHING, GRINDING OF STONES AND
QUARTZ MATERIALS**

With reference to your application dated _____ for grant of the subject
trade at _____, the desired permission is hereby
granted.

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 Municipal Committee
from time to time.

3. The licence is granted to you as per following particulars and subject to the
conditions annexed herewith:-

Name _____

Father's/Husband's Name _____

CNIC No. _____

Licence No. _____

Term of licence _____

Licence fee paid _____

Address _____

Description of the premises _____

**Municipal Officer (Regulations)
M.C Choa Saidan Shah**

Copy to:

1. Chairman, Municipal Committee, Choa Saidan Shah.
2. Chief Officer, Municipal Committee, Choa Saidan Shah.
3. District Officer (Environment), District Officer (labour), Chakwal
4. Concerned Enforcement Inspector, Municipal Committee, Choa Saidan Shah.

**Municipal Officer (Regulations)
M.C Choa Saidan Shah**

GENERAL TERMS AND CONDITIONS OF LICENCE

(to be annexed with the licence)

- (a) maintain material safety data sheets of crushing material (stone/quartz) and display them in Urdu at visible locations in the workplace;
- (b) arrange a thorough Health, Safety and Environment Risk Assessment of the workplace from certified laboratory and take necessary mitigation measures;
- (c) ensure health examination of the workers on bi-annual basis through a registered medical practitioner and maintain the record of each employee especially to control the silicosis;
- (d) provide specialized personal protective equipment to the employees for prevention from dust and silica;
- (e) made available emergency eye wash shower at the workplace;
- (f) ensure proper cross ventilation and well lit premises;
- (g) ensure that no child is employed;
- (h) provide / install dust control devices for the protection of workers and surroundings including wet scrubbers, mechanical scrubbers, dust suction blowers and humidity maintenance, etc.
- (i) observe the prescribed terms and conditions under these bye laws & keep the licence in the licensed premises;
- (j) not in any case use or allow to be used licensed premises for any other purpose other than the one for which license has been issued;
- (k) get his license renewed in the month of July each year on payment of prescribed fee; and
- (l) intimate the Municipal Committee Choa Saidan Shah on closing of the said trade or any change in the premises / location.

FORM-III
(see bye-law 5)

MUNICIPAL COMMITTEE, CHOA SAIDAN SHAH

To

(Name) _____

Address _____

Subject:- **REJECTION OF APPLICATION FOR GRANT OF LICENCE FOR THE TRADE OF CRUSHING, GRINDING OF STONES AND QUARTZ MATERIALS**

Reference your application, dated _____ for grant of licence for carrying the trade of crushing, grinding of stones and quartz materials at _____ in the jurisdiction of Municipal Committee, Choa Saidan Shah.

2. It is intimated that your application for grant of licence has been rejected on the following grounds:

i. _____

ii. _____

iii. _____.

Municipal Officer (Regulations)
M.C Choa Saidan Shah

Copy to:

1. Chairman, Municipal Committee, Choa Saidan Shah.
2. Chief Officer, TMA, Choa Saidan Shah.
3. Concerned Enforcement Inspector, Municipal Committee, Choa Saidan Shah.

Municipal Officer (Regulations)
M.C Choa Saidan Shah

THE MUNICIPAL COMMITTEE,
CHOA SAIDAN SHAH,
(TRADE OF CRUSHING,
GRINDING OF STONES AND
QUARTZ MATERIALS) BYE
LAWS, 2017.