

F. No. 13 (29) 2019/Milk/RCD/FSSAI  
Food Safety and Standards Authority of India  
(A Statutory body under Ministry of Health & Family Welfare, Government of India)  
(Regulatory Compliance Division)  
FDA Bhawan, Kotla Road, New Delhi-110002

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Dated the, 7<sup>th</sup> September, 2020

To,

**The Municipal Commissioner/Chief Executive Officer,  
South Delhi Municipal Corporation/ New Delhi Municipal Corporation/  
East Delhi Municipal Corporation/North Delhi Municipal Corporation/  
Delhi Cantonment Board.  
Delhi/New Delhi.**

**Subject:- Licensing carrying out food businesses operations by the Municipalities of Delhi/New Delhi-Reg.**

Sir,

It has come to the notice of this office that the Food Business Operators (FBOs) in NCT of Delhi are being mandated to obtain license for carrying out food businesses operations by the Municipalities of Delhi/New Delhi. One such form for obtaining the license for the manufacture/sale/preparation/exposure for sale/storage of articles of food and drinks under Section-24 of the Prevention of Food Adulteration Act is available online at [https://www.ndmc.gov.in/DownloadableForms/Main\\_Health\\_Form.aspx](https://www.ndmc.gov.in/DownloadableForms/Main_Health_Form.aspx)

In this regard, it is informed that the with the enactment of Food Safety and Standards Act, 2006, an Act passed by the Hon`ble Parliament of India and with the commencement of Food Safety and Standards (Licensing & Registration) Rules, 2011 (w.e.f. 05.08.2011), the sole Authority for issuance of Licenses/Registration of FBOs in India vests with the Registering Authorities/ Central or State Licensing Authorities duly appointed under the provisions of the said Act by the respective Commissioner of Food Safety (CoFS).

Further, your attention is also invited to the **Section-89** "Overriding effect of this Act over all other food related laws" of FSS Act, 2006 which states, "*The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.*"

Accordingly, in view of above legal position, it is requested to immediately look in to matter and ensure that no separate/additional food licenses are issued by your offices and any FBO who is doing business under your jurisdiction or is planning to start new food business may be directed to obtain the same from FSSAI. In case the aforesaid licenses are being issued by your office for any other purpose or statutory compliance not related to food safety, the same may kindly be shared with this office.

The said approach will also help in promoting the Ease of Doing Business (EoDB) by streamlining the regulatory & compliance burden on FBOs. Further, in case required FSSAI may share its database for the licensed/registered FBOs in your jurisdiction with your office as per your requirements.

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Kindly take further necessary action in the matter and inform this office at the earliest.

**Issued with the approval of the Competent Authority.**

Yours sincerely,



**(Shobhit Jain)**

Executive Director (Compliance Strategy)

Copy to:-

1. The Commissioner of Food Safety, Department of food safety, Govt. of NCT OF Delhi, 8th floor, Mayur Bhawan, Connaught Place, New Delhi – 110001- For information and with the request to take up the matter further with the respective office and furnish the action taken report to this office by **30.09.2020**.
2. CITO, FSSAI-for uploading this direction on FSSAI website.