

India: Necessity of licensed food outlets

[SS Rana & Co](#)

September 18 2018

Being a country of food loving people, India is a market of multiple food joints delighting numerous taste-buds. There has been a rapid and remarkable increase in the restaurant business of the nation which cater to the needs of around 1.2 billion citizens. Ranging between the wide market of the country, eateries are visible throughout the country varying from small hawkers on the roads to the most expensive and lavish restaurants symbolizing the class and status of the segment of the population visiting them.

Legal Requirements

The commercialization of food products in India is administered by the Food Safety Standards Authority of India (hereinafter referred as “FSSAI”) according to the guidelines issued under the Food Safety Standards Authority of India Act, 2006 (hereinafter referred to as the “Act”).

Registration and Licensing prerequisite

In order to ensure the safety of the consumers, the Government emphasizes on the need of obtaining requisite licenses and adhere by the standards prescribed. The Food Safety and Standards (Licensing and Registration of Food Business) Regulations, 2011, (hereinafter referred to as the “Regulations”) lays down the procedure for registration and licensing of food business in India. Some of the provisions of the Regulations state the following:

- For the purpose of registration of the business, the applicant is required to submit application with the Registering Authority with payment of prescribed fees and a self-attested declaration of adherence assuring that the applicant shall follow the basic hygiene and safety requirements;
- No person shall commence any food business unless he possesses a valid license for commencing or carrying on food business granted by the Central Licensing Authority. For the said purpose, the applicant is required to submit documents such as Blueprint/layout plan of the unit, details of directors/ partners/ proprietor & equipment, proof of possession of premises, Food Safety Management System plan, documents indicating constitution of the food unit (like partnership deed, articles of association), NOCs from Municipality or local body and from State Pollution Control Board, source of raw material, etc.

The grant of the aforesaid registration and license certifies that the food business operators carry out their activities in a clean, adequately lighted & ventilated, hygienic environment, having proper storage facilities and sanitation facilities thus safeguarding the interests of the consumers.

Food delivery entities delist non-licensed food joints

Food delivery entities such as Zomato and Swiggy have adopted a pragmatic approach of working towards the safety of its customers. These corporates have delisted the restaurants lacking the license issued by FSSAI in furtherance of the FSSAI directive issued on July 20, 2018 requiring the online food operators for delisting such joints by July 31, 2018.

With the revolution in the food services industry, there has been a substantial rise in the number organized food outlets. Since food has a major contribution in the growth of the Indian economy, it is important that the businesspersons involved therein follow the legal compliances to deliver highest quality service.