

MANIPUR



GAZETTE

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OFFICE OF THE KAKCHING MUNICIPAL COUNCIL: MANIPUR

NOTIFICATION

Kakching, the 22nd February, 2001

No. 7-27/KCH/MUC/82-470.—Whereas, the Kakching Municipal Council considers expedient to adopt the following 12 (twelve) Bye-Laws to improve the financial position of the Council in terms of the 74th Constitution amendment Act, 1998 vide its resolution No. 2 of the Sitting No. 40 dated, 10-09-98.

And whereas, in exercise of the powers conferred by Section 75, 168 and 209 of the Municipalities Act, 1994, the Kakching Municipal Council has made the following draft Bye-Laws consistent with the model Bye-Laws issued by the State Govt. under Section 213 of the Manipur Municipalities Act, 1994 and the same is hereby notified for the information of the general public.

Now, therefore, any person who is willing to make any objection/suggestions to the said draft Bye-Laws may submit to the Executive Officer, Kakching Municipal Council, Kakching within 15 (fifteen) days from the date of publication of the notification in the Official Gazette and any objection/suggestions received after the said given period shall not be entertained. Copies of the Bye-Laws can be had from the Office of the undersigned during Office hours.

**DRAFT BYE-LAWS :**

1. The Kakching Municipality (Entry Toll on Vehicles and Animals) Bye-Laws, 2001. (1-6)
2. The Kakching Municipality (Building) Bye-Laws, 2001. (1-14)
3. The Kakching Municipality (Registration and Licencing of Shops) Bye-Laws, 2001.
4. The Kakching Municipality (Regulation of Hotels) Bye-Laws, 2001.
5. The Kakching Municipality (Regulation of granting Mobile Stalls/Vendors/Hawkers/Licences) Bye-Laws, 2001.
6. The Kakching Municipality (Advertisement) Bye-Laws, 2001.

- ✓ 7. The Kakching Municipality (Scavenging Taxes for Trade and Household refuse) Bye-Laws, 2001.
- ✓ 8. The Kakching Municipality (Regulation of Market) Bye-Laws, 2001.
9. The Kakching Municipality (Parking fee) Bye-Laws, 2001.
- ✓ 10. The Kakching Municipality (Regulation of Cycle-Rickshaw) Bye-Laws, 2001.
- 11. The Kakching Municipality (Sales of cut meats) Bye-Laws, 2001.
- 12. The Kakching Municipality (Burial and Burning Grounds and disposal of Corpses) Bye-Laws, 2001.

KSH. ABER SINGH,  
Executive Officer,  
Kakching Municipal Council.

# BYE - LAWS



## THE KAKCHING MUNICIPALITY (BUILDING) BYE-LAWS - 2001

1. Short title, extent and commencement :-  
Kakching Municipality Building Bye-Laws, 2001. (i) These bye-laws may be called the
- (2) These bye-laws shall extend to the whole of the Municipality area.
- (3) These bye-laws shall come into force with effect from the date on which they are published in the Official Gazette.
2. Definition:— In these bye-laws unless there is anything repugnant in the subject or context.—
  - (1) "Ceiling Height" means the vertical distance between the floor and the ceiling;
  - (2) "Chajja" means a sloping or horizontal structural overhang usually provided over opening on external walls to provide protection from sun and rain;
  - (3) "Chairperson" means Chairperson of the Municipal Council/

- (4) "Covered area" means area covered by the building immediately above plinth level, but does not include the spaces covered by;
- garden, rackery, wall and wall structures, part nursery, water pool, swimming pool (if uncovered) platform round a tree, tank, fountain bench, chaburra with open top & unenclosed on sides by walls and the like;
  - drainage, culvert, conduit, catch-pit, bally-pit, chamber gutter and the like; and
  - compound wall, gate, unstoreyed porch and portice, slide swing, uncovered staircases areas covered by Chajja and the like.
- (5) "Drainage" means act, process method or means of drainage, mode of discharge of water, the system of drains.
- (6) "Dwelling" means a building or a portion thereof which is designed or used wholly or principally for residential purposes.
- (7) "Height of building" means the vertical distance measured in the case of flat roofs, from the average level of the centre line of the repairing street to the highest point of the building adjacent to the street wall; and in the case of pitched roofs, upto the point where the external surface of the outer wall intersects the finish of the sloping roofs and in the case of gables facing the road, the mid-point between the eaves level and the ridge. Architectural features serving no other function except that of decoration shall be excluded for the purpose of taking heights. If the building does not bati on a street, the height shall be measured above the average level of the ground around or contiguous to the building.
- (8) "Residential building" means a building used or constructed or adopted to be used wholly or principally for human habitation and exclude garages, stables and other outhouses apartment thereto.

#### CHAPTER—II ADMINISTRATION

3. No person shall erect, re-erect or alter any building or structure on any land within the municipality area without a permission obtained from the Municipal Council/Nagar Panchayat under these by-laws.

4. Every person who intends to erect or re-erect or alter a building shall give notice in writing to the Council/ of his intention in the form prescribed at appendix "A". Such notice shall be accompanied by plans and statements in triplicate as required under Bye-law No. 5. The plans may be ordinary prints or terropaper. One set of such plans shall be retained in the office of the Council/ for record after the issue of the permit, or refusal.

5. Every Government department, as far as possible, shall comply with all the provisions of these bye laws. They shall also notify with plans, their intention, to the Council/Panchayat but may not wait for the permit for starting the work. Where objections have been pointed out by the Council/Panchayat, it shall be obligatory for the department to take necessary action to obviate the objections and if there is any dispute in this respect, the decision of the Chief Town Planner, Manipal shall be final.

6. The notice under clauses 4 shall be accompanied by the following documents :-

- (a) The site plan. The site plan sent with an application for permit shall be drawn to a scale of not less than 8 m (or 1 cm) (64 ft to 1 inch) and shall show:
  - (i) the boundaries of the site and of any contiguous land belonging to the owner thereof;
  - (ii) the position of the site relating to neighbouring street;
  - (iii) the name of the street in which the building is proposed to be situated;
  - (iv) all existing buildings standing on the site;
  - (v) the position of the building and of all other buildings, if any, which the applicant intends in (a) in relation to:
    - (i) the boundaries of the site, and in case where the site has been partitioned the boundaries of the partitions owned by the applicant and also of the portion owned by the other owner;
    - (ii) all adjacent street, buildings and premises within distance of 12 m (or 40 ft.) of the site of the contiguous land, if any, referred to in (a) ; and
  - (iii) if there is no street within a distance of 12 m (or 40 ft.) of the site, the nearest existing street;
  - (vi) the means of access from the street to the building and to all other building if any, which the applicant intends to erect upon or his contiguous land referred to in (a) ;
  - (vii) the position and the number of storeys of all of buildings within 12 m (or 40 ft) of the site ;
  - (viii) the position, forms and dimensions of kitchens, staircases and other appendages of the building ;
- (b) free passage or way in front of the buildings ;
- (c) space to be left about the building to secure a free circulation of air, admission of light, and access for scavenging purposes ;
- (d) the width of the street, if any, in front of the building and if any at the side or near of the building ;

- (l) north point;
- (m) the width in front, side and rear yard; existing road side the lamp and Telephone posts; and
- (n) such other particulars as may be prescribed by the Council/

(2) Building Plans: The plans of the building and location and section accompanying the notice shall be accurately drawn to a scale of 1 m to 1 cm (or 8 ft. to 1 inch) and coloured. Adequate arrangement for proper drain shall also be indicated. The plans shall include:—

- (a) Floor plans of all floors together with the covered area, accessory buildings and basement plan, such drawings shall clearly indicate the sizes of rooms, sizes of windows, ventilator, door opening and stairrooms;
- (b) exact location of essential services e.g. water, closet sink, bath and the like;
- (c) sectional drawings showing merely the size of footings, thickness of basement walls and all roof slabs, floor slabs, wall construction sizes and spacing of forming members, ceiling heights and parapet heights with their materials. The section should indicate the drainage and the slope of the roof. At least one section should be taken through the staircases;
- (d) all street elevations;
- (e) details of served privy if any;
- (f) dimension of the projected portions beyond the permissible building line;
- (g) terrace plan indicating the drainage and the slope of the roof;
- (h) indication of north line; and

(i) (the) plans of the building elevations and sections accompanying the notice shall be accurately drawn to a scale of 1 m to 2 cm or (8 ft. to 1 inch) and coloured showing different types of works.

(3) Definite arrangements for proper drainage water supply and sewage disposal shall be indicated. Plans and section of private water supply and sewage disposal system, if any shall also be included.

(4) Signing the plan :—

(a) All the plans and specifications referred to in the preceding bye-laws in respect of building costing Rs. 50,000/- or more shall be clearly signed by the applicant or his legally authorised agent and by the qualified Architect/Engineer who should indicate their names, addresses and licence Nos. and the certificate in the following form.

\_\_\_\_\_ do hereby certify that I am a qualified Architect/Engineer. I have prepared

these plans for — — — on plot No. — — — — — belonging to Shri/Smt. — — — — — have personally satisfied myself that it conforms to the bye-laws laid down by the Municipal Council/ and I hold myself personally responsible for my default.

It is also certified to the best of my knowledge that all public sewage passing under the building under reference have been shown in distinct colour in the plans.

A certificate will also be submitted by qualified Engineer in respect of every type of building with brick masonry and RCC works, in the following form :-

Certified that the structural parts of the entire building on plot No. — — — — — belonging to Shri/Smt. — — — — — have been designed by me on the basis of calculation and are considered safe in accordance with the permissible trusses and slenderence ratio as laid down in accepted and upto date manuals and regulation;

(b) The minimum qualifications for a qualified Architect shall be as follows:-

(i) Associate Membership of the Indian Institute of Architects as not less than five years Architectural experience;

(ii) Degree or Diploma in Architecture recognised as minimum qualifications for recruitment to the Gazetted Service of the Government of India plus not less than five years architectural experience either under a qualified Architect or in the Government Service in Architectural Department in a responsible capacity;

(c) The minimum qualifications for a qualified Engineer shall be as follows:-

(i) Corporate Membership (Civil) of the Institution of Engineer's (India).

(ii) Degree or Diploma in Civil Municipal or structural engineering recognised as the minimum qualification for recruitment to the Gazetted Service of the Government of India plus not less than five years experience either under a qualified Architect or a qualified Engineer or in Government Service in a responsible capacity;

(d) The plans for buildings costing less than Rs. 50,000/- may be signed by the Engineer who certified the structural parts of the building. But the plans and certificates for the building without brick masonry and RCC work may be signed by any qualified Overseer/qualified Draughtsman.

(e) Specification both general and detailed giving kind and grade of materials to be used, duly signed by the registered architect/engineer shall accompany the notice.

7. (i) If during the construction of a building, any departure of a substantial nature from the sanctioned plan is intended sanction of the Board shall be obtained in time before the change is effected.
- (ii) The Council/ may arrange from time to time, during the course of construction of a building for such inspection as the Council/ may consider necessary.

8. (i) No notice as referred to above in bye-laws shall be deemed valid unless and until the person giving notice has paid the fees given below to the Board and an attested copy of the receipt of such payment is attached with the notice:—

(a) For RCC Masonry & brick works --- Rs. 500 to Rs. 1000.

(b) For building other than RCC masonry & brick works—  
Rs. 200 to Rs. 500.

(ii) In the event of a building permit not issued, the fees so paid shall not be returned to the owner, but he shall be allowed to re-submit it without any fees after complying with all the objection as raised by the Council/Panchayat within a period of one year from the date of rejection after which fresh fees shall have to paid.

9. (i) The approval or refusal of the plans shall be communicated to the applicant in the form at Annexure C & D as the case may be and Executive Officer of the Council/Panchayat shall sign on the body of the approved plan in token of the approval.

(ii) If within 30 days of the receipt of the notice under bye-laws 4 of these bye-laws, the Council/ fails to intimate in writing to the person, who has given the notice of the refusal or sanction the notice with its plan and statements shall be deemed to have been sanctioned provided nothing shall be construed to authorise any person to do anything in contravention of or against the terms of lease or title of the land or against any other bye-laws regulation or ordinance in operation on the site of the work.

(iii) Once the plan has been scrutinised, the objections have been pointed out; the owner who has been given notice shall modify the plan to comply with the objections raised and re-submit it. The Council/Panchayat shall scrutinise and re-submit the plan and, if there be no further objections, the plan shall not be rejected.

(iv) Notwithstanding anything contained therein if the structure contravenes as may bye-law or is adjudged structurally unsound, the person shall be deemed liable under these bye-laws.

10. No building hereafter erected, re-erected, or altered materially shall be occupied in whole or in part until the issue of an occupancy certificate in the form prescribed in Appendix 'B' by the authorised officer of the Council, affixing that such building conforms in all respects of the requirements of these bye-laws and is fit for occupation.

11. All building or structures which are structurally unsafe, insanitary or not provided with adequate means of egress or which in relation to existing use constitutes a hazard to safety or health for any reason of in-adequate maintenance, dilapidation or abandonment are for the purpose of these bye-laws, unsafe building. All such buildings shall be considered to constitute danger to public safety which shall be abated by repairs or demolition or as otherwise directed by the Council.

12. The authorised officer of the Council/ shall examine every building reported to be unsafe or damaged and shall make a written record of such examination.

13. Whenever the Council/ on the report of the authorised officer shall find any building or structure or portion thereof to be unsafe as defined under bye-laws 11 it shall give to the owner and the occupier of such building or structures written notice stating the defects thereof. This notice shall require the owner or the occupier within 30 days to complete specified repairs or improvement or to demolish and remove the building or structure or portion thereof.

14. In case the owner or occupier fails, neglects or refused to comply with the notice to repair or to demolish the said building or structure or portion thereof, the Council/ shall cause the danger to be removed whether by demolition or repair of the building structure or portion thereof or otherwise.

15. In case of emergency which in the opinion of the Council/ involves imminent danger to human life or health the decision of the Council/ shall be final. The Council/ shall forthwith or with such notice as may be possible promptly cause such building structure or portion thereof to be rendered safe or removed for this purpose. The Council/ may at once enter such structure or land on which it stand, or abutting land or structure, with such assistance and such cost as may be deemed necessary. The Council/ may also get the adjacent structures vacated and protect the public by an appropriate fence or such other means as may be necessary.

16. Building or structure over Municipality drain etc. — Any building or structure shall not be constructed or extended over any public or Municipality drain or land.

17. Whoever erects, materially alters or re-erects or commences to erect materially alter or re-erect any building without the previous sanction of the Council/ or in contravention of any directions given by the Council/ granting the sanction under these bye-laws shall be liable to punishment under section 128 of Manipur Municipalities Act, 1994.

18. Without prejudice to the operation of any other law, it shall be the duty of the Council/ to take necessary action to institute proceedings against any person who contravene any of the provisions of bye-laws.

19. Costs :—Costs incurred under bye-laws 14 & 15 shall be charged to the owner of the premises involved. Such costs shall be charged on the premises and shall be recoverable as arrear of land revenue.

20. All powers of the Council/ under these bye-laws of any other power or function that is necessary or expedient for the purposes of these bye-laws shall be exercised by the Executive Officer or any Officer/employee authorised by the Executive Officer.

21. Conviction no bar to further prosecution :—The conviction of any person under provision of these bye-laws for failing to comply with any of the said requirements or obligation shall not operate as a bar to further prosecution under these bye-laws for any subsequent failure on the part of such person to comply.

22. Officers not liable for damages :—Any officer of the Council/ acting in good faith and without notice shall be free from liability for act done in the performance of the official duties under any provision of these bye-laws.

### CHAPTER—III REQUIREMENTS

23. The maximum covered area of building of different classes shall be as under:—

- (i) In a bazar or market area:—The covered area shall not exceed 80% of the area of the site provided that sufficient off-street parking facilities for loading and unloading of vehicles are provided on the same plot of the building.
- (ii) In case of industrial buildings:—The covered area shall not exceed 50% of the total site area.
- (iii) In residential area shall not be more than 60% of the total area.

24. (1) FAR for commercial or Bazar areas will be 1.5. It may be raised to 2.4 provided adequate parking space is available in and around the plot.

(2) FAR for industrial or institutional areas will be 0.5.

25. (1) Every dwelling house shall have not less than two living rooms, a verandah, a kitchen W.C. and a bath.

(2) The size of the living room shall not be less than 120 sq. ft. and the shorter dimension shall not be less than 9'-0". The floor area of other rooms shall not be less than the following:-

Kitchen:—	— 60 sq. ft.
W.C.	— 16 sq. ft.
Bath	— 20 sq. ft.
Combined bath & W.C.	— 30 sq. ft.

26. Every habitable room in the building shall have for the admission of light and air at least one window, opening directly to the external air or into an open verandah. Such window shall have an aggregate area inclusive of frames equal to one light floor area of the room. In the case of non-habitable rooms such window area may be reduced to one twelfth of the floor area.

27. Bath rooms and W.Cs shall have an aggregate window area of not less than 8 sq. ft. for ventilation purposes.

28. The kitchen shall be provided with a flue for the escape of hot air.

29. Every habitable room shall have a clear height of 11'-0" measured from the floor finish to the ceiling.

30. The non-habitable rooms shall give a clear minimum height of '8-0" but shall not exceed the usual floor height in any case.

31. No building shall be more than five storeys in height or 80' whichever is less and only a barsati or staircase room not exceeding 8'-0" in height shall be allowed in the second floor.

32. The parapet walls shall not exceed 3'-6" in height above the finished floor level.

33. In the case of building on all plots having an area of more than 3000 sq. ft., the front elevation of two houses having a common party wall shall be exactly similar.

34. The heights of window tops, chajjas and parapet walls shape of verandah pillars and external surfacement of wall and pillars of the each semi detached house shall be the same.

35. The design height and external surface treatment of boundary walls of each semi detached house shall also be exactly similar.

36. No part of a building other than garage and servants quarters shall be less than 2'-0" above the determined level of the lowest of the following :—

- (a) Central part of the abutting street.
- (b) Footpath abutting the plot.
- (c) The highest part of the service land which determine the drainage of the premises.

37. The plinth of the garage and servants quarter shall not be less than one foot above the determined level of the lowest items given in bye-law 25.

38. All staircase shall conform to the following conditions.

- (a) They shall have an unobstructed head room of at least 7'-0" measured vertically over the tread in line with the face of the riser.
- (b) The width of the treads shall not be less than 10 inches and the rise more than 7 inches. Where siders are used the width of the tread at 3 point 18 inches from the centre of the rail shall not be less than 10 inches. Winders shall be given only at the foot of the staircase.
- (c) The stairways shall not be less than 3'-0" clear in width. A ceiling shall be provided on the open sides of the stairs which are not adjoining wall or a partition.
- (d) The staircases shall be lighted on ventilated from an open space of not less than 7'-3" in width. The lighting and ventilating area for such staircases shall not be less than 10 sq. ft. per floor height.

39. Every wall and pillar of the building shall be provided with a damp proof course as either.

(a) 1 part cement, two coarse sand and 5% puddle or some similar water proofing materials or

(b) bitumen sheeting of

(c) any impervious material approved by the Municipal Board.

Such damp proof course shall be laid at a level not higher than the plinth or underside of the construction of the ground floor and shall extend to the full width and extend of such walls and pillars. It shall be at least 3/4" thick.

Before applying a horizontal damp proof course the plinth shall be checked to see that it is level both length wise and horizontally and shall be cleared of all loose mortar and other material.

The thick work of masonry shall be thoroughly damp before laying. Joints in damp proof course shall be avoided and if absolutely essential the end

of one days work shall be sloped off and the surface roughened so as to form a key for a joint which shall be applied not later than the following day. It shall be kept continually wet for 15 days.

Every latrine shall have to be connected to a sewer if there is one within 100 ft. of the site provided that until the sewer begins to function, a severed latrine with a septic tank shall have to be constructed which shall be converted into a connected latrine as and when the sewer begins to function. Under no circumstances shall any sullage drain be connected to a storm water drain.

All houses having quarters for servants shall have separate latrine and bathing place for them.

Every plan of construction shall be prepared by a licensed Surveyor or Architect.

Relaxation of the provisions of these rules may be made by the Municipal Council/ in consultation with the Chief Town Planner, Government of Manipur.

The design of shops shall conform to the type design of shop for various sizes of plots prepared by the Municipal Council/ in consultation with Chief Town Planner, Government of Manipur.

## ANNEXURE—C

## MUNICIPALITY CARD

To

— — — — —  
 — — — — —

File No — — — — — Date — — — — —

Sir,

With reference to your application No. — — — — — dated — — — — —  
 for the grant of sanction for the erection of a building/exccution of work in  
 House No. — — — — — Plot No. — — — — — Block No. — — — — —  
 sanction has refused on — — — — — on the following grounds :—

- 1.
- 2.
- 3.
- 4.
- 5.

Yours faithfully  
 Executive Officer,  
 Municipal Council/

## APPENDIX 'A,

Form under bye-law No. 3 for first application erect, or re-erect a building).

To:—  
The Chairperson,  
Municipal Council

Sir.

I hereby give notice that intend to erect, re-erect, or to make alteration in building No — — — — — in plot/holding No — — — — — in colony/Bazar — — — — — in Leikai/Leirak — — — — — in accordance with Manipur Municipality/Building Bye-laws.

I forward herewith the following plans and specification in triplicate duly sign by (Name in block letter) — — — — — the qualified Architect/Engineer/Overseer/Draughtsman who will supervise its erection.

1. Site Plan.
2. Building Plan.
3. Water Supply & Sewage Disposal plans.
4. Specification, General and detailed

Building plans for bamboo houses, huts & sheds may have no section & elevation.

I requested that the construction may be approved and the same be accorded to me to erect the work.

Date.

Signature — — — — —

Name of owner (in block letter)

Address of owner — — — — —

## APPENDIX 'B'

(Form under bye-law No. 9 for occupancy certificate)

I hereby certify that that erection, re-erection of materials alteration of building No — — — — — in colony/Bazar — — — — — in road/Leirak/Loikai — — — — — completed under the supervision of — — — — — qualified Architect/Engineer has been inspected by me and I declare that the building conforms in all respects to the requirements of Municipality Building Bye-laws in respect of structure safety fire-safety, hygenic and sanitary condition inside and in the surrounding and is fit for occupation.

OFFICE STAMP.

Signature of the Authority  
Having Jurisdiction.

Date

ANNEXURE-D  
KAKCHING MUNICIPAL COUNCIL

File No. -----

Dated -----

To -----

Subject :- Sanction U/S ----- of MM Act.

Dear Sir/Madam,

With reference to your application dt. ----- for the grant of sanction to erect/re-erect/add to/alteration in the building to carry out the development specified in the said application relating to plot No. ----- Block No. ----- situated in/at ----- I have to state that the same has been sanctioned on ----- by the Municipal Council/ ----- subject to the following conditions and corrections made on the plan :-

1. The plans are valid upto ----- day ----- month ----- year -----
2. The construction will be undertaken as per sanctioned plan only and no deviation from the bye-laws will be permitted without prior sanction. Any deviation done against the bye-laws is liable to be demolished and the supervising architect engaged on the job will be the risk and having his licence cancelled.
3. Violation of building bye-laws will not be completed.
4. It will be duty of the owner of the plot and the architect preparing the plans to ensure that the sanctioned plans are as per prevalent building bye-laws, if any infringement of bye-laws remain unnoticed. The Municipal Council/ ----- reserved the right to amend the plans as and when the infringement comes to its notice and Municipal Council/ ----- will stand indemnified against any claim in this account.
5. A notice in writing shall be sent to Municipal Council/ ----- before commencement of the erection of the building as per bye-laws. Such notice will be sent to Municipal Council/ ----- when the building has reached upto plinth level.
6. The party shall not occupy or permit it to occupy the building or use or permit to be used the building on any plan be effected by any such work until occupancy certificate is issued by the Municipal Council,

7. Municipal Council/ will stand indemnified and kept harmless from all proceedings in court and before other authorities of all expenses/ losses claims which the Municipal Council, may incur or become liable to pay as a result or in consequences of the sanction accorded by it to these building plans.

8. The door and window leaves shall be fixed in such a way that they shall not when open project on any street.

9. The party will convert the house into two dwelling units on each floor.

10. The building shall not be constructed within minimum distance as specified in Indian Electricity rules from cottage lines running on side of the site.

11. The land left open on consequences of the enforcement of the set back rule shall form part of the public street.

12. The sanction will be void initio of auxiliary conditions mentioned above are not complied.

Yours faithfully,

Executive Officer, Municipal  
Council/

*[Handwritten signature]*

# BYE - LAWS



## THE KAKCHING MUNICIPALITY (ENTRY TOLL ON VEHICLES AND ANIMALS) BYE-LAWS - 2001

1. (1) These bye-laws may be called the Kakching Municipality (Entry Toll on Vehicles and Animals) Bye-Laws, 2001.

(2) They shall extend to the whole area of the Municipality.

(3) They shall come into effect from the date on which they are published in the official gazette.

2. In these bye-laws, unless the subject or context otherwise requires:—

(a) "Act" means the Manipur Municipalities Act, 1994;

(b) "Check post" means a place at the limit of the Municipal area where Municipal Officers/employees/agents authorised for the purpose of assessing and realising toll on vehicles and animals entering the municipal area are stationed;

(c) "heavy vehicle" means a heavy vehicle as defined in the Motor Vehicle Act, 1988;

(d) "light vehicle" means a light vehicle as defined in the Motor Vehicle Act, 1988;

(e) "Vehicle" means and includes both motorised Vehicles such as bus, lorry, mini bus, tempo, car, Jeep, autorickshaw and two wheelers and non-motorised vehicles such as animal driven cart, and rickshaw;

(f) "Schedule" means Schedule appended to this bye-laws.

3. Every vehicle and/or animal entering the Municipality area shall be levied and payable an entry toll at the rate specified in Schedule 'A'.

Explanation:—Where a vehicle is loaded with vehicle(s) or animal(s), the vehicle(s) or the animal(s) shall be treated as load and no separate toll(s) shall be payable for such loaded vehicle(s) or animal(s).

4. The Council may determine and declare as many number and location of check posts at different convenient and suitable point (s) of entry into the Municipality area as considered necessary for the purpose of these bye-laws.

5. (1) No vehicle and/or animal shall enter or attempt to enter the Municipality area except through a Check post duly set-up by the Council/

(2) No vehicle and/or animal shall enter into the Municipality area without the full payment of the due entry toll at the Check post of the entry point. —

6. The owner or driver or person-in-charge of a vehicle or the owner or person-in-charge of an animal shall be liable to pay the toll on the vehicle and/or animal as the case may be for any additional entry made during a period of one day calculated from midnight to midnight.

7. The toll on vehicle and/or animal shall not be liable in respect of:—

(a) Vehicle and/or animal belonging to the Central and State Govt. and used solely for public or official purposes and not used or intended to be used for purposes of profit;

(b) Vehicle and/or animal belonging to the Council/ ~~Government~~ : and

(c) Vehicle and/or animal belonging to the Red Cross Society.

8. (i) Any owner or person whose vehicle and/or animal makes regular entry into the Municipality area may, or an application to the Executive Officer, be allowed to compound the payment of the entry toll on such vehicle and/or animal in yearly or monthly terms.

(ii) The amount of compounded tolls for yearly, half-yearly and monthly shall be the amount or toll payable under bye-law 3 for 363, days, half of the yearly amount and 1/12 (one-twelve) of the yearly

amount respectively subject to the following rebate :—

- (a) 25% rebate in respect of yearly payment ;
- (b) 15% rebate in respect of 1/2 yearly payment; &
- (c) 5% rebate in respect of monthly payment.

(iii) The toll shall be payable to the Council/~~Santhiya~~ office instead of at the Check posts in case of realisation of the tolls by the Council/~~Santhiya~~ itself and to the agent in case of realisation of the same through the agent appointed under the provisions of bye-law 14.

(iv) A token or badge or pass shall be issued by the Council/~~Santhiya~~ or the agent, as the case may be, in respect of all compound payment of tolls.

9. The agent of the authorised officer (s) employee (s) at the Check post shall, on payment of the full amount of toll, forthwith issue a formal dated receipt in the form given in the Schedule 'F' affixing the seal of the agent or the Council/~~Santhiya~~, as the case may be.

10. The officer/employee in charge of a Check post shall submit the amount of tolls collected daily to the Executive Officer with a collection statement in the form given in Schedule-B. They will also submit weekly and monthly collection statements in the form given Schedules C and D respectively.

11. (i) Every Check post shall maintain an Inspection book in the form given in Schedule E. The Executive Officer or other officers authorised by the Executive Officer shall inspect the Check posts periodically; and

(ii) the Check posts shall be visited and inspected by the Executive Officer or any other officer/employee of the Council/~~Santhiya~~ duly authorised by the Executive Officer in this behalf and note their observations/findings in the Inspection Books.

12. The Council/~~Santhiya~~ shall examine the collection figures as reflected in the collection statements (daily weekly and monthly), once in a month and decide such other arrangements/actions to be taken-up for ensuring the speedy and increased collection of tolls.

13. The agent or the officer/employee-in-charge of a Check post shall display a copy of the Schedule of Rates, duly signed by the Executive Officer, in a conspicuous part of Check post.

14. The Council/~~Santhiya~~ may, by a resolution passed in a meeting, appoint agents periodically by inviting tenders through open auction for collection of entry toll on vehicles and/or animals on such terms and conditions.

as may be decided by it. The agent(s) appointed under this bye-law shall have the same power of the officer/employee of the Council/ in charge of a Check post in respect of collection of tolls.

15. All powers of the Council/ under these bye-laws or any other power that is expedient or necessary for the purposes of these bye-laws shall be exercised, by, the Executive Officer or any other officer/employee of the Council/ authorised or empowered by the Executive Officer in this behalf.

16. Whenever a dispute arises as to the liability of payment of toll the aggrieved party shall first pay the toll to authorised agent or the officer/employee in charge of the Check post and may then prefer an appeal to the Executive Officer of the Council/ whose decision shall be final in all such cases. The Executive Officer shall clearly state in his order whether the toll paid as aforesaid shall be returned or not.

17. Every officer/employee, or agent, duly authorised to realise entry toll under these bye-laws, may reasonably seek the assistance of any Police Officer on duty under section 107 (6) of the Act for the different discharge of the duties under these bye-laws.

18. Any person committing a breach of any of these bye-laws shall be liable in addition to the penalties imposed under the Act, to pay a fine not exceeding Rs. 10/- for every such breach and his vehicle and/or animal may be seized or detained by the Officer/Employee/Agent at the Check post.

### SCHEDULE 'A'

(See bye-law 3)

## KAKCHING MUNICIPAL COUNCIL

Schedule of rate of entry toll on vehicle and animals.

#### A—Vehicles :

1. Each Heavy vehicles etc.
2. Each light vehicle
3. Others (including 2-wheelers)

	Loaded	Unloaded
1.	Rs. 10/-	Rs. 5/-
2.	Rs. 5/-	Rs. 3/-
3.	Rs. 2/-	Rs. 2/-

#### B—Animals :

1. Each Elephant
2. Each Buffalo
3. Each pony, Mase, Bull, Bullock Cow, Donkey, Acither etc.
4. Each ass. pig. goat
5. Each calf of more than 6 months old
6. Others

1.	Rs. 10/-
2.	Rs. 7/-
3.	Rs. 5/-
4.	Rs. 3/-
5.	Rs. 3/-
6.	Rs. 2/-

SCHEDULE 'B'  
(See bye-law 10)

**KAKCHING MUNICIPAL COUNCIL**

Daily return on collection of toll on entry of vehicles and animals

Name of Check post — — — — —  
 Date and hour of the shift — — — — —  
 Name of Officer-in-charge — — — — —  
 Pages of Receipt — — — — —  
 Block issued from — — — — —

1. Classification of vehicles	Number	Rate	Amount
(i)			
(ii)			
(iii)			
2. Classification of animals			
(i)			
(ii)			
(iii)			
(iv)			
(v)			

Grand total — — — — —

Date — — — — — Signature of the Officer-in-charge

SCHEDULE 'C'  
(See bye-law 10 law)

**KAKCHING MUNICIPAL COUNCIL**

Comprehensive weekly Return on collection of toll on entry of vehicles and animals

Period from — — — — — to — — — — —

Name of Check post Receipt No. used.	Shift	Toll on a/c of vehicle		Toll on a/c of animals		Total amount
		No.	Amount	No.	Amount	
1	2	3	4	5	6	7

Grand total — — — — —  
 Date — — — — — Signature of the Inspecting Officer

SCHEDULE 'D'  
(See bye-law 10)

**KAKCHING MUNICIPAL COUNCIL**

Monthly abstract of weekly Returns on collection of toll on entry of vehicles and animals

For the month of \_\_\_\_\_ 19 \_\_\_\_\_

Name of Check post Receipt No. used.	Amount of toll on a/c of vehicle		Amount of toll on a/c of animals		Total amount of toll	
	No.	Amount	No.	Amount		
1	2	3	4	5	6	7
Week						
1.						
2.						
3.						
4.						
5.						
6.						

Grand total

Date \_\_\_\_\_

Signature of the Officer-in-Charge

SCHEDULE 'E'  
(See bye-law 11 (i))

**KAKCHING MUNICIPAL COUNCIL**

Name of the Check post \_\_\_\_\_

Date and hour of inspection	No. of last receipt issued	Total of the Tax collected during the shift	Note of inspection with suggestion if any and signature of inspecting officer.
1	2	3	4

SCHEDULE 'F'  
(See bye-law 9)

**KAKCHING MUNICIPAL COUNCIL**

Book No. \_\_\_\_\_

Receipt No. \_\_\_\_\_

Received Rs. \_\_\_\_\_ as toll for entry of animal/light vehicle/heavy vehicles (loaded/unloaded).

Date \_\_\_\_\_

By order of  
Municipal Council/

# BYE - LAWS

## No. 1

### THE KAKCHING MUNICIPALITY (ENTRY TOLL ON VEHICLES AND ANIMALS) BYE-LAWS - 2001

#### THE MANIPUR MUNICIPALITIES AND NAGAR PANCHAYATS (ENTRY TOLL ON VEHICLES AND ANIMALS) MODEL BYE-LAWS, 1998

1. (1) These bye-laws may be called the Municipalities (Entry Toll on vehicles and Animals, Model Bye-Laws, 1998.
  - (2) They shall extend to the whole area of the Municipality.
  - (3) They shall come into effect from the date on which they are published in the official gazette.
2. In these bye-laws unless the subject or context otherwise requires:—
- (a) "Act" means the Manipur Municipalities Act, 1994;
  - (b) "Check post" means a place at the limit of the Municipal area where Municipal Officers/employees/ agents authorised for the purpose of assessing and realising toll on vehicles and animals entering the municipal area are stationed;

# BYE - LAWS



## THE KAKCHING MUNICIPALITY (REGISTRATION AND LICENCING OF SHOPS) BYE-LAWS - 2001

1. Short title :- (i) These bye-laws may be called the Kakching Municipality Registration and Licencing of Shops Bye-Laws, 2001.  
It shall come into force on the date of their publication in the Official Gazette.
2. In these bye-laws, unless the context otherwise required.
  - (a) "Act" means the Manipur Municipalities Act, 1994.
  - (b) "Chairperson" means Chairperson of the Municipal Council/Nagar Panchayat :
  - (c) "Form" means form appended to these bye-laws.
  - (d) "Goods" means every kind of movable property other than actionable claims and money, and includes stock and shares, growing crops, grass and things attached to or forming part of the land which are agreed to be served before sale or under the context of sale.

Explanation :— (Actionable claims—means a claim in respect of which a cause of action has already matured and which subject to procedure may be enforced by suit and see also section 3 of the Transfer of property Act, 1882 for the method of transfer of actionable claims see section 130 and 137 *ibid*).

- (e) "Potpham" means selling : or vending of articles spread on Lukmai or cloth on ground or platform whether under a license or not;
- (f) "Schedule" means Schedule appended to these bye-laws:
- (g) "Shop" means and includes any premises used wholly or in part for the sale of services or for the whole sale or retail sale of goods, either for cash or credit, but does not include hotels, restaurants, eating places, potpham of markets and Hawking;
- (h) "Shop keeper" means a person owning or having charge of a shop, as defined in bye-laws 2(g) :
- (i) "Shop Registration Number" means the number allotted to a shop after registration under these bye-laws;
- (j) "Shop Registration Certificate" means a certificate issued to a shop keeper after registration under these bye-laws :
- (k) "Shop Licence" means the license issued to a shop keeper under these bye-laws for the purposes of keeping and running his shop :
- (l) "Shop Registration and Licence Book" means the book maintained by the Council/Nagar Panchayat, wherein the registration and licence of the shop within the municipal/Nagar Panchayat area are recorded :
- (m) "Service" means service of any description which is made available to potential users and includes the provision of facilities in connection with banking, financing insurance, transport, processing, supply of electrical or other energy, boarding or lodging or both, housing construction, entertainment amusement or the purveying of news or other information but does not include the rendering of any service fee of charge or under a contract of personal services;
- (n) "Wards and expressions used in these bye-laws and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.
3. (i) No shop keeper and run a shop or establishment within the Municipal area unless his/her shop is registered at the office of the Municipal Council/Nagar Panchayat, under these bye-laws.
- (ii) A shopkeeper may get his/her shop or establishment registered by making an application in Form-1 on payment of registration fee as specified in the Schedule.

(iii) On receipt of an application accompanied by the requisite fee under sub-bye-law (ii) the Authority shall, on being satisfied about the correctness of the particulars furnished in the application, register the shop or the establishment as the case may be and issue a certificate of registration in Form-2 and shall be entered in the shop registration and licence book.

*Station of registration* (iv) Registration of the shop remain valid until it is cancelled or revoked on the general that it remains closed for a period exceeding six consecutive months or that the shop licence is not renewed for two consecutive years.

4. (a) No shop keeper shall keep and run a shop within municipality area unless under a shop licence to be issued in this behalf by the Municipal Council/Nagar Panchayat under these bye-laws.

(b) A shop keeper may obtain a shop licence in application in Form-1 on payment of licence fee as specified in the schedule.

*under year period of validity* (c) A shop keeper's licence shall be in Form-3 and shall be valid for one calendar year commencing from the date of issue of licence and expire automatically unless renewed within ninety days from the date of expiry.

(d) Such shop licence shall bear the Registration number of the shop and shall be issued in the name of the shop keeper and shall not be transferable. It should be displayed at a conspicuous place of the shop.

(e) A licence may be renewed without alteration by the authority empowered to grant such licence on payment of fee. The application for renewal of licence shall be in Form-4.

(f) Every application for the renewed of licence shall be made so as to reach the licensing authority at least thirty days before the date on which it expires;

Provided that if the application for the renewal of licence is not received within the time, specified above, the licence shall be renewed only on payment of a fee amounting to twice the fee ordinarily payable.

5. (1) The Executive Officer shall be the Registering and Licensing Authority who shall have the power to allow registration and issue and renew licences under these bye-laws.

(2) All powers of the Council/Nagar Panchayat in respect of registration and grant, issue, renewed, refusal or cancellation of a licence and all other powers and functions of the Council/Panchayat under these bye-

authorisation  
officer. →

laws or otherwise necessary and expedient for the purposes of these bye-laws shall be exercised by the Executive Officer or any officer/employee duly authorised by the Executive Officer in this behalf.

6. It shall be lawful for the Executive officer or any officer/employee empowered or authorised by him/her in this behalf:

(a) to suspend, withhold or completely revoke the licence or registration on the ground of violation of any of the provisions of these bye-laws or the terms & conditions of licence. Provided that the shopkeeper shall be given an opportunity of being heard before such suspension, or revocation;

(b) to cancel or completely revoke a licence if he/she is satisfied that it has been secured by the licence or registration through misrepresentation or fraud or if any of the instructions have not been complied with or the licensee has been convicted for contravention of any of the provisions of the Act or Rules or Bye Laws made thereunder relating to any matter in respect of which the licence has been granted, provided that reasonable opportunity shall be afforded to the licensee to show cause before making any such order of cancellation or revocation;

(c) to issue to the licensee such direction as he/she may deem necessary for securing proper compliance with the bye-laws or in the interest of the public safety and health;

(d) to impose/collect the recover fine for contravention of any of the provision of these bye-laws.

7. An appeal shall lie against any order refusing to grant, renew a licence, suspending or withdrawing a licence or registration to the Chairperson; Provided that every appeal shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within thirty days of the order passed.

8. The Registering and Licensing Authority may, with the approval of the Council/Panchayat divide the municipality area into zones, and classify the shops into categories for the purpose of carrying out these bye-laws conveniently.

9. The Council may, from time to time, make or issue orders or notifications for expedient implementation, or/and interpretation of these bye-laws.

10. (1) If any person violates any of the provisions of these bye-laws, he/she shall be punishable with fine and if the violation/ offence is a continuing one, he/ she is liable to a fine as prescribed in the Schedule for each day of such violation after conviction.

(2) All fees and fine payable under these bye-law shall not be refundable. ✓✓

### SCHEDULE OF FEES AND FINES

Bye-laws No. Clause Subject	Range of fee	Fine which may be imposed
3. (2) Registration of fee for doing Business :—		
(a) Rs. 5 lacs above	= Rs. 2,000/-	= to Rs. 3,000/-
(b) Above Rs. lac but not exceeding Rs. 5 lacs	= Rs. 1,000/-	= to Rs. 1,500/-
(c) Rs. 25,000/-above but not exceeding Rs. 1 lac.	= Rs. 300/-	= to Rs. 500/-
(d) Rs. 25,000/- below	= Rs. 100/-	= to Rs. 200/-
4. (2) Licence fee for doing Business during the year		
(a) Rs. 5 lacs above	= Rs. 1,000/-	= to Rs. 1,500/-
(b) Rs. 1 lac above but not exceeding Rs. 5 lacs	= Rs. 500/-	= to Rs. 750/-
(c) Rs. 25,000/-above but not exceeding Rs. 1 lac	= Rs. 200/-	= to Rs. 300/-
(d) Rs. 25,000/- below	= Rs. 50/-	= to Rs. 100/-
4. (5) Renewal of licence :—As stated above		
10. (1) Penalty :—		
(a) Violation of any provision		= Rs. 200/-
(b) Continuance of violation for each day,		= Rs. 100/-

FORM-I  
**FORM OF APPLICATION FOR SHOP REGISTRATION/LICENCE UNDER  
 BYE-LAW No. 3 (1)**

PHOTO

1. Applicant's name :—
2. Father's/Husband's name :—
3. Age :—
4. Address :—
  - (a) Home :—
  - (b) Present :—
  - (c) P.S. of home address :—
  - (d) P.O. :—
5. Business dealt in :—
6. Valuation of business :—  
per annum.
7. Registration No :—  
(if registered)
8. Area of shop :—
9. Schedule of shop :—
  - (a) East :
  - (b) West :
  - (c) North :
  - (d) South :
10. Whether the shop is under patta land or Municipality land ;
11. Types of structure of shop :—
12. Identification by a Councillor :—
13. Name of shop :—  
( as described in sign board )

**DECLARATION**

I/We declare that the particulars given above have been checked up by me/ us and found correct. I/We agree to comply the provisions of the Bye-laws and these which may be changed, altered or modified from time to time under the said Bye-laws. I/We understand that any contravention of the Act and Bye-laws framed there under is punishable.

Date :—  
Place :—

Signature of the applicant

*[Handwritten mark]*

7

FORM-2

REGISTRATION CERTIFICATE

It is hereby certified that \_\_\_\_\_ at \_\_\_\_\_  
has been registered as \_\_\_\_\_ under the Manipur  
Municipalities (Registration & Licensing of shops) Bye-laws 1998, this  
\_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
and the Registration No. is \_\_\_\_\_  
dated \_\_\_\_\_

*2001*

SEAL

Signature of the Registering Officer

*2001*

FORM-3

FORM OF SHOP LICENCE

(Under Bye-law No. 4 (c) of \_\_\_\_\_ Municipality  
(Registration and Licensing of shop) bye-laws, 1998.  
Licence No. \_\_\_\_\_ Date \_\_\_\_\_

Licence is hereby granted to  
Shri/Smt \_\_\_\_\_ s/o,  
w/o \_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_ to run his/her business dealt in \_\_\_\_\_  
\_\_\_\_\_ in the premises described below under shop  
Registration No. \_\_\_\_\_ dated \_\_\_\_\_  
subject to the provisions of the Manipur Municipality Act., 1994 and the  
Bye-laws made thereunder.

The licence shall remain in force  
till the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
Dated \_\_\_\_\_ 19 \_\_\_\_\_

Signature of Licensing Authority.

DESCRIPTION OF THE LICENSED SHOP

Type of structure of shop:—


- Scheduled:—(a) East :—
- (b) West :—
- (c) North:—
- (d) South:—

### ENDORSEMENT OF RENEWALS

This licence shall be renewable without any concession in fee for one calendar year in the absence of any contravention of any provision of the Manipur Municipalities Act, 1994 or of the Bye-laws framed thereunder.

Date of renewal.

Date of expiry

Signature and Officer seal  
of the Licensing authority 

#### FORM-4

#### FORM OF APPLICATION FOR SHOP LICENCE RENEWAL

Under Bye-law No. 4 (e) of Kakching Municipality Bye-Laws,  
(Registration and Licensing of shops Bye-laws).

1. Name of shop keeper:—
2. Father's/Husband's name:—
3. Age:—
4. Address:—
5. Business dealt in :—
6. Name of shop :—  
(as described in sign board).
7. Shop Registration No. :—
8. Licence No. :—
9. Date of expiry of licence :—

Date — — — —

LICENSING OFFICER  
Kakching Municipal Council

# BYE - LAWS



## THE KAKCHING MUNICIPALITY (REGULATION OF HOTELS) BYE-LAWS - 2001

1. Short title :- (i) These bye-laws may be called the Kakching Municipality Regulation of Hotels Bye-Laws, 2001.

(ii) They shall come into effect from the date of their publication in the Official Gazette.

2. Definitions : In these bye-laws unless the subject or the context otherwise requires :—

(a) "Act" means the Manipur Municipalities Act, 1994 ;

(b) "eating house" means any premises to which the public are admitted and where any kind of food is prepared and served as a commercial venture and includes boarding and lodging houses, rest houses, restaurants, cafe, refreshment rooms, residential clubs ;

(c) "Form" means form appended to this bye-laws ;

(d) "Schedule" means the Schedule appended to this bye-law

(e) "Sweetmeat shop" means any premises or part of any premises used for the manufacture, treatment or storing for sale or for wholesale or retail sale of any confection, ice-cream or sweet-meats whatsoever for whomsoever intended and by whomsoever name the same may be known and whether the same be for consumption in or outside the premises.

3. No place within the Municipal limits shall be used as a hotel, boarding house, rest house, restaurant, eating house, cafe, refreshment room, coffee house, sarai, dakbungalow, let-in-tenment, residential club etc; to which the public are admitted, without Registration and a licence from the Council/ Panchayat.
4. (1) (i) Application for registration in Form 'A' with the necessary fees as prescribed in the Schedule shall be made before obtaining a licence under these bye-laws.
- (ii) Application for a licence in Form 'A' with the necessary fees as prescribed in the Schedule shall be made not less than 30 days before the date from which the licence applied for is to commence.
- (2) (i) Every application for Registration and grant of licence shall be accompanied by a plan in duplicate showing the dimensions of and the purpose for which each room and place in the premises is proposed to be used.
- (ii) The applicant shall also be required to furnish such other relevant particulars as may be called for by the Council/ Panchayat in connection with Registration/ or grant of licence.
- (3) Every registration/licence granted under these bye-laws shall be issued in the prescribed form subject to the payment of the prescribed fees.
- (4) The licence so granted shall specify the purpose of licence and the maximum number of persons allowed in respect of the premises as a whole. One copy of the plan, submitted with the application, shall be returned to the applicant together with the licence and there shall be marked on such copy the number of persons allowed for each room.
- (5) A licence shall be valid upto the 31st March of a year and may be renewed every year.
- (6) Every application for the renewal of a licence shall be made in form 'A' at least 30 days prior to the date of expiry of the licence.
- (7) Registration granted under these bye-laws shall remain valid until it is cancelled or revoked on the ground that it remains closed for a period exceeding six consecutive months or that the licence is not renewed for two consecutive years.

5. (1) Every licences under these bye-laws shall pay the licence fee as fixed annually in advance before expiry.
- (2) The renewal of a licence may be refused or with-held by the Council/Panchayat without assigning any reasons thereof.
- (3) The licence issued/renewed under these bye-laws may be cancelled at any stage and time without notice for violation of any provisions of these bye-laws or of the terms and conditions of the licence.
- (4) No licence granted under these bye-laws shall be transferable either by the person to whom or from the place to which it is granted.
- (5) The licence shall be affixed in a conspicuous place to which it pertains with the purpose of the licence and the name & address of the licencee correctly stated.
6. (1) The Council/Panchayat may at any time after the grant of a licence either reduce or increase of the maximum number of lodger in case of reduction or increase of the available space in the premises or due to deterioration of sanitary conditions.
- (2) In those cases where sleeping accommodation is provided for customers.
- (i) Such accommodation shall not be less than 10 sq.mtrs of floor area and 10 cubic metres of a space per head.
- (ii) Every room used for such accommodation shall be adequately lighted ventilated and shall be kept and maintained in a sanitary condition.
- (iii) Connected latrines and urinals in sewered areas and sanitary previes with septic tank arrangements in non-sewered areas and suitable bathing and washing places properly paved and drained shall be provided for the use of the customers and the servants/employees in the premises.
- (3) The premises for any of the purposes mentioned under these bye-laws shall be constructed of such durable materials as may be approved by the Executive Officer and no part thereof shall be constructed of inflammable materials.
- (4) Every such premises shall contain suitable separate accommodation for the preparation, storage and service of food. The place where preparation of food or tea or coffee is made shall be separated from the place where storage and service of food to customer is arranged.
- (5) The licensee shall ensure that no dust or smoke enters the place where storage/service of food is made and that in no case even or chulla is placed in front of the premises.

- (6) The floor shall be cemented and the premises shall be provided with sufficient means of effectual drainage.
- (7) The licensee shall cause every drain to be maintained at all times in good order and efficient condition. If sewerage exist they should be properly trapped.
- (8) The licensee shall provide suitable washing platforms having impervious surface.
- (9) The licensee shall provide sufficient latrines and urinals. Every latrine, privy or urinal on the premises shall be kept clean and thoroughly dis-infected daily. The Council/Panchayat may require the licensee to construct sanitary latrine which the licensee shall provide for.
- (10) The licensee shall provide suitable means of ventilation and lighting every room in such premises and shall cause the same to be maintained at all times in good order and efficient condition.
- (11) The furnace and the cook-room shall be so constructed and ventilated and shall be of such a nature and so used as to prevent any nuisance from smoke, provided, however, that in no case shall roadside even or furnances be allowed. Necessary fire fighting equipments shall be installed at suitable place of the hotel and fitness certificate shall be obtained from the concern authority of the Manipur Fire Services.
- (12) The licensee shall provide and use in connection with his/her business :—
  - (i) Proper receptacles made of galvanised iron or other suitable material to be approved by the Executive Officer or any other officer authorised by him/her in that behalf for the storage of adequate filtered water for the purpose of cooking, drinking and washing utensil, such receptacles being provided with a tight fitting lid or cover at the top with lock and key arrangement and screw cap at the bottom for draining and cleansing residual water and a tap or taps at the side. 4 inches above the bottom level and which shall be placed on a stand or platform at least 3 feet above ground level.
  - (ii) Safe for keeping uncooked meat, fish or other food, such safes being freely ventilated by panels of perforated size and so constructed as to prevent access of flies therein.
  - (iii) Suitable receptacles of vessels for cooking milk or prepared food stuff in such a manner so as to prevent contamination thereof by dust, flies, vermin or any other thing likely to effect it in such a way as to make it injurious to human health.

- (13) No filtered water for purposes of cooking or drinking, no uncooked meat, fish or other food and no milk or prepared food stuff shall be kept or stored except in receptacles, safes or vessels as prescribed in bye-law 12.
- (14) The desirable number of water closets, ablution tap, wash-bins, baths, slopsinks, kitchen sinks and dish-washers shall be provided as directed by the Council/Panchayat.
- (15) The furniture kept for the convenience of customers shall be made of non-absorbent material and shall be kept clean at all time.
- (16) There shall be provision for sanitary refuse bin or bins of adequate size provided with lid to be kept for the collection and storage of all refuses, garbages waste food, sweeping of the floor and even ashes etc. to be emptied into the nearest Council/Panchayat dustbin and thoroughly cleansed at least twice in every twenty four hours of as may be necessary.
- (17) Every part of the internal surface of the walls and ceiling of every building in such premises shall be once washed at least 4 times in every year and the wood work therein, if any, shall be painted at least once every year.
- (18) No vessel or utensil which is likely to get corroded or to give a metallic or other unwholesome taste or in any way deleteriously affect the quality of such article of food shall be used.
- (19) Every cup plate, knife, fork, spoon or other such article used in the distribution or consumption of food shall after being used by any person be thoroughly secured and cleansed with running filtered water and later by hot water before it is allowed to be used by any other person and shall be kept and maintained in a thoroughly clean and sanitary condition. No cups, saucers, dishes and other utensils, cracked or with broken edges shall be used.
- (20) All provisions or materials so used for the purpose of business shall be good and Adulterated or unwholesome provisions, food stuff or materials shall not be used, sold or exposed for sale. Provisions not required for immediate use shall be stored in closed bins and suitably protected against chemical action.
- (21) No foodstuff of any sort which is unwholesome, offensive or in any way unfit for human consumption in the opinion of the Council shall be stored, served, sold or exposed for sale in the premises.

- (22) (i) Dried fruit, cut slices of fruit, cooked food and all other articles of food or drink kept ready for human consumption in the premises shall be stored or exposed for sale in such manner as to protect them completely from dust, effluvia, flies or other vermins.
- (ii) Such articles exposed for sale, shall be kept in clean vessels or plates made of glass or metal covered with enamel or tin-lining placed in glass cases if necessary, with fly-proof perforated zinc or steel at the top for ventilation.
- (iii) No such articles shall be touched by hand and only clean spoons or other cutteries shall be used for serving them.
- (iv) All papers or leaves used for wrapping articles of food shall be clean and stored in a clean rack or box.
- (23) No article of food intended for human consumption shall be stored in such a way as is likely to permit the absorption of noxious gases or vapours, or in any room or place opening directly into a place where persons sleep or reside or where animals are kept or which communicates directly with a latrine or drain.
- (24) Care shall be taken by the licensee for transmission of articles of food in such manner as to prevent all chances of contamination.
- (25) No part of the building or premises shall be used at any time or purposes of human habitation unless such building is sufficiently detached or separated from the rest of the said premises.
- (26) The licensee shall allow only servants who are redressed in clean clothes to attend on the customers, servants employed in the manufacture, preparation or handling of any article shall wear clean clothes.
- (27) The licensee shall forthwith report to the Council/Panchayat any case of dangerous infections or contagious disease occurring in the premises.
- (28) The licensee shall arrange for vaccination inoculation of the employees engaged in preparation or distribution or handling of any article of food from time to time or as often as the Council/Panchayat may require, when so required by the Council he shall cause such employees being free from disease or infection of any kind and fit, to carry on such business.
- (29) No person suffering from an open sore or any loathsome, infectious or contagious disease or has recently been in attendance on a person suffering from such disease shall carry on such business or be

employed in or to assist in carrying on such business in such premises or be allowed to enter any part of such premises.

- (30) The licensee shall ensure that no person shall spit in or upon such premises except in such receptacles or places as provided for such purpose. The premises shall be provided with sufficient number of apertures which shall be conveniently place any cleaned and disinfected daily.
- (31) No dog or cat or cattle shall be stabled or allowed to be stabled either permanently or temporarily in any part of such premises.
- (32) Care shall be taken by the licensee to prevent unreasonable amount of noise being created or used of broadcasting of playing of gramophones with or without pickup loud-speaker arrangements, so as to avoid annoyance or discomfort to the owners or occupiers of houses in the vicinity.
- (33) No impendiment or encroachment shall be made on the foot path or road or over drain by placing the benches, tables, bottles, boxes or any other articles for the use of the licensee or his/her customers.
- (34) The licensee shall ensure sufficient cleanliness of the frontage and that no road or drain or footpath is used for storage of garbage rubbish or other refuse collected from the premises.
- (35) The licensee shall not at any time receive or allow to be received into the licensed premises or into the licensed premises or into any room or part thereof a greater number of persons than the number specified in the license and in the place annexed thereto.
- (36) The licensee shall when such premises are intended for habitation of both sexes, also provide and maintain separate sleeping accommodation and conveniences for the use of boarders of either sex.
- (37) The show-cases displaying and storing articles of food or drink kept ready for human consumption shall be properly maintained and shall be kept free from flies, rats or dust. These shall never be exposed and shall always be fully and permanently covered at the top, sides and the front.
- (38) No material structural alteration in the premises shall be made by the licensee without the previous sanction of the Executive Officer.

- (39) The licensee shall put up in each room in such premises a Board notifying the dimensions thereof and the maximum number of persons permitted to lodge therein.
- (40) The licensee shall immediately on knowing that any person in the premises is suffering from any infectious, contagious or dangerous disease, adopt such precautions as may be necessary to prevent the spread of infections and inform the Executive Officer or the health officer of the Council/Panchayat.
- (41) The licensee shall immediately after the death, removal or recovery of any person who may have been ill of any infectious, contagious or dangerous disease cause every part of the room occupied by such person to be thoroughly disinfected in the manner specified by the Health Officer of the Council/Panchayat and shall not admit any person into such room until permitted by the Health Officer.
- (42) The licensee shall also give or cause to be given written notices to the Council/Panchayat on the occurrence of any birth, death or dangerous accident in the premises.
- (43) (a) The licensee shall either himself/herself reside in the premises or keep an agent approved by the Council/Panchayat as resident therein and shall maintain a register showing therein the number and names of lodgers, the rooms occupied, the period of occupation and such other information on as may from time to time be specified by the Council/Panchayat.
- (b) A register showing the names and particulars of the employees of the hotel like cooks, servants, waiters and whoever is concerned with the services of the hotel shall also be maintained and made available to the inspecting team of the Council/Panchayat or any concerned authority.
- (44) A Board specifying the rates and charges for different items of food and for lodging shall be prominently displayed in the premises.
- (45) A Board stating the purpose for which such premises are intended and the hours of it working shall be fixed or caused to be fixed in a conspicuous place in such premises.
- (46) The licensee shall keep a complaint book for entering remarks or noting complaints by the customers and such book shall be open for inspection by any inspecting Officer of the Council/Panchayat.
- (47) The powers of the Council/Panchayat in respect of grant issue, renewal refusal or cancellation of a license and all other powers and functions of the Council/Panchayat mentioned in these bye-laws of

otherwise necessary or expedient for the purposes of these bye-laws shall be exercised by the Executive Officer and/or any other Officer or employee of the Council/Panchayat duly authorised by the Executive Officer in this respect.

(48) It shall be lawful for the Executive Officer or any Council/Panchayat employee/Officer authorised or empowered in this behalf by him/her or under any provision of the Act.

(49) (a) To inspect the premises, provisions, articles or food or drink, all utensils and furniture on the premises and to take samples of any provisions, any articles of food or drink manufactured or kept for sale therein. Samples so seized may be subjected to chemical or other examination to ascertain its purity or otherwise.

(b) To remove or cause to be removed forthwith from such premises any article or food or drink which in their opinion, is stale, unwholesome, offensive or unfit for human consumption besides prosecuting the licensee for violating the bye-laws.

(c) To issue to the licensee such directions as he/she may deem necessary for securing proper compliance with the bye-laws, or in the interest of public health.

(d) To suspend or completely revoke any licence granted under these bye-laws in respect of any place on grounds of public health or safety or where any of the conditions specified in these bye-laws are not being strictly observed provided that such suspension or revocation of the license shall not be deemed to exempt the licensee or any other person from liability to prosecution under these bye-laws and provided further that such suspension or revocation shall be made only after an opportunity is given to the licensee to show cause in the matter.

(e) To seize, detain, destroy, and or dispose articles of food or drink and vessels, utensils etc., used for manufacturing preparing or keeping such articles of food or drink as are stale unwholesome, offensive or unfit for human consumption and to close down and lock the premises in whose respect licensees have been suspended, cancelled or not renewed.

(f) To revoke the license granted under these bye-laws if he/she is satisfied that it has been secured by the grantee through misrepresentation or fraud or if any of the instructions have not been complied with or the grantee has been convicted for contravention of any of the provisions of this Act or any Rules or bye-laws made

thereunder relating to any matter for which the license or permission has been granted, provided that before making any order of suspension or revocation, reasonable opportunity shall be afforded to the grantee or the licensee, to show cause as to why it could not be suspended or revoked.

- (50) The holder of the license or the servants or the manager shall produce the license at all reasonable hours for inspection if so required by the Executive Officer or an employee authorised by him/her in this behalf.
- (51) An appeal against any order passed or instruction given by an officer subordinate to the Executive Officer shall lie to the Executive Officer and against order passed or instruction given by the Executive Officer shall lie to the Chairperson. The decision of the Chairperson in appellate matters shall be final and no further appeal shall be allowed.

#### PENALTY

- (52) Whoever commits a breach of any of these bye-laws or any other conditions of the license and agreement shall be punishable in addition to the penalties imposed under the Act.
- (a) With a fine which may extend to five hundred rupees and
- (b) in case of continuing contravention with additional fine which may extend to hundred rupees for every day during which such contravention continue after receipt of the notice to discontinue the breach of these bye-laws.
- (53) A fine not realised within 15 (fifteen) days from the issue of notice shall be deemed to be in arrear and may be realised as an arrear of land revenue.

1  
2  
3  
4  
5  
6

SCHEDULE  
THE RATES OF LICENCE/REGISTRATION FEES

Class	Particulars	Range of licence fees for one year and part thereof.	Range of Registration fees for one year and part thereof.
1	2	3	4
Class—I	Where the business is run on a big scale with lodging accommodation or with separate rooms for Kitchen, Dining Hall and lodging accommodation.	Rs. 500/- to Rs. 1000/-	Rs. 1000/- to Rs. 2000/-
Class—II	Where separate rooms are kept for kitchen and dining hall and a large variety of food is kept for sale.	Rs. 250/- to Rs. 500/-	Rs. 500/- to Rs. 1000/-
Class—III	Where the business is run on a small scale and arrangement for cooking and eating is made in the same room.	Rs. 100/- to Rs. 300/-	Rs. 250/- to Rs. 500/-

FORM 'A'

Application for Registration\*/Licence\* Renewal Licence

1. Full name and address of applicant :—
2. Father's name :—
3. Age :—
4. Purpose for which registration\*/Licence\* is required :—
5. The place in respect of which the registration/licence is required :—
6. (i) Ward No.  
(ii) Street.

- (iii) Holding No.
  - (iv) Registration No. (in case where registration has already been made) :-
  - (v) Boundaries for Identifying the place.
  - 7. The name and address of owner of the Holding.
  - 8. The rent of the place or the estimated rental value when the applicant is the owner of the premises.
  - 9. Period for which license is required.
- I declare that all informations above are true to my knowledge and belief.

APPLICANT

Dated \_\_\_\_\_

Witness :-

1. Name :-
- Address :
2. Name :-
- Address :-

\*Strike out which is not applicable

FORM "B"  
REGISTRATION CERTIFICATE

It is hereby certified that \_\_\_\_\_  
has been registered as \_\_\_\_\_ under the  
Manipur Municipalities (Regulation of Hotels, Boarding & Lodging houses,  
Rest Houses, Restaurants, Eating houses, Cafe, Refreshment rooms, Residential  
Clubs etc.) Bye-laws 1998, this \_\_\_\_\_  
day \_\_\_\_\_ 19\_\_\_\_ and the Registration No.  
is \_\_\_\_\_ dated \_\_\_\_\_

SEAL

Signature of the Registering Officer.

FORM "C"

FORM OF LICENCE ISSUED UNDER THE BYE-LAWS OF THE  
MANIPUR MUNICIPALITIES ACT, 1994.

This licence is granted to Shri \_\_\_\_\_  
of \_\_\_\_\_ of the use of \_\_\_\_\_  
\_\_\_\_\_ (insert description of place) \_\_\_\_\_  
\_\_\_\_\_ as a Hotel/Restaurant/cating house/Boarding  
or lodging house/Coffee or Tea House under Registration No. \_\_\_\_\_  
Date \_\_\_\_\_

This licence will expire on the \_\_\_\_\_  
It is subject to the conditions set forth in the bye-laws rules of the Council  
framed under the Manipur Municipalities Act, 1994. The maximum number  
of person allowed to lodging the premises shall be \_\_\_\_\_  
as detailed in the plan referred herewith.

Executive Officer,  
Kakching Municipal Council

# BYE - LAWS



## THE KAKCHING MUNICIPALITY

(REGULATION OF GRANTING MOBILE STALLS/VENDORS/HAWKERS/LICENCES)

### BYE-LAWS - 2001

1. Short title :- (i) These bye-laws may be called the Kakching Municipality (Regulation of Granting Mobile Stalls/Vendors/Hawkers/Licences) Bye-Laws, 2001.
- (ii) These bye-laws shall extend to the whole of Municipality area/Nagar Panchayat area.
- (iii) They shall come into effect from the date of its publication in the Manipur Gazette.
2. Definition .—In these bye-laws unless the subject or context otherwise requires :—
  - (i) "Act" means the Manipur Municipalities Act, 1994.
  - (ii) "Mobile Stall/Vendor/Hawker" means and includes any person using/ occupying and , public road/street, place for sale of goods/services ;
  - (iii) "Public road/street" means any road street square, court alley passage or path way over which the public have a right of way. whether a thorough fare or not, and includes—

- (a) the road way over any public bridge or cause way ;
- (b) the footway attached to any such road, public bridge or cause-way; and
- (c) the drains attached to any such roads, public bridge or cause-way and the land, whether covered or not by any pavement, vendor or other structure, which lies on either side of the roadway up to the boundaries of the adjacent property whether that property is private property or Government property.
- (iv) "Public place" means a space not being private property which is opened to the use or enjoyment of the public whether such space is vested in the Council/Panchayat or not.

3. No intinerant vendor, or hawker, or any other person shall use or occupy any public road or street or place in the Municipality area for the sale of articles or for the exercise of any calling or for setting up any booth or stall unless he/she obtains a licence from the Council in the Form—A Annexured hereto.

4. The licence shall be effective for one calendar month and shall be renewed from month to month. The monthly fees for the licence shall be fixed within the range from Rs. 1/- to Rs. 3/- per sq. ft.

5. The licensing authority shall be the Executive Officer of the Council/ Panchayat or any subordinate officer duly authorised by him.

6. Every one, who desires to obtain the licence shall submit to the licensing authority an application in the Form-B annexured hereto available at the Municipality office on payment of Rs. 2/- per copy.

7. The conditions subject to which such a licence may be granted shall be as follows :—

- (a) The licensee shall not cause any nuisance or obstruction to any public road street/place ;
- (b) he shall not expose for sale of any articles not included in the licence ;
- (c) the licensee shall not ring any bell or use any mechanical or other contrivance to direct to attention of the customers ;
- (d) the licensee shall observe the utmost cleanliness in selling articles ;
- (e) the Executive Officer or any subordinate duly authorised by him in this behalf shall have the power to destroy any articles exposed or offered for sale which in his opinion are unwholesome ;
- (f) the licence shall be effective one month from the date of issue ;
- (g) the licence is not transferable ;

- (h) the licence shall always be carried by the licensee and produced on demand for the inspection of the Executive Officer or any subordinate duly authorised by him ;
- (i) the licence is liable to be revoked if the licensee or any servant accompanying is found to be suffering from any dangerous or infectious disease ;
- (j) the Executive Officer may at any time revoke or cancel the licence if in his opinion, the licensee has infringed any of the conditions of the licence and in such a case, the licensee shall not be entitled to claim any refund of fees or any damages whatsoever ;
- (k) the licence fees shall be paid in advance;
- (l) the licence shall be valid for the allotted area entered in the licence. The allotted area shall in no case exceed 4 ft. X 6 ft. in area;
- (m) the licensee shall not erect any permanent structure on the area allotted to him. He/She may keep movable stall/cart of such specification design as approved by the Executive Officer;
- (n) the licensee shall not squat or expose articles or sale except in the space allotted to him and entered in the licence;
- (o) the licensee shall vacate the allotted area, within 48 hrs. if it is required for repair, reconstruction or other Municipal/Nagar Panchayat or Government purposes. The licensee will, if possible, be accommodated elsewhere but it will not be incumbent on the Executive Officer to do so and the fee already paid will not be refunded;
- (p) the licensee shall give every facility to the Municipality employee to clean the area allotted to him;
- (q) if after issue of the licence the area occupied by the licensee in any month is found to have been exceeded an additional fee will be payable according to the additional area occupied by him;
- (r) the licensee keeping a mobile hand-cart, shall keep his hand cart reasonably on the move and shall not cause any nuisance or obstruction to the public traffic either on road street or foot path.

8. Whoever violates the provision of these bye-laws shall be punishable with fine which may extend upto two thousand five hundred rupees and with fine which may extend upto five hundred rupees for every subsequent offence after the first conviction;

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**FORM 'A'**  
**(See bye-law 3)**

Kakching Municipality  
**'Mobile Stall's/Vendor's/Hawker's**

**LICENCE**  
**(Not transferable)**

- 1. Licence No. — — — — —
- 2. Name of Licensee — — — — —  
(in full block letters)
- 3. Father's/Husband's name — — — — —
- 4. Address of licence :—  
(i) Present — — — — —  
(ii) Permanent— — — — —
- 5. Personal Age :— — — — —
- 6. Type of business/trade — — — — —
- 7. Place/area allotted— — — — —
- 8. Size of stall/vendor — — — — —
- 9. Date of issue of licence— — — — —

Licensing Officer,  
Kakching Municipal Council

Date of payment	Validity	Signature of Licensing Officer	Remarks

(The reverse page of the licence)  
The conditions of the licence of bye-laws-5

**FORM 'B'**  
**APPLICATION FORM FOR LICENCE/RENEWAL OF LICENCE FOR**  
**MOBILE STALL/VENDOR/HAWKER**

1. Name of the applicant :  
(in full of block letters)
2. Father's/Husband's name —
3. Address of the Applicant ;  
(i) Present ;  
(ii) Permanent ;
4. Personal Age :
5. Type of business/trade :
6. Place/location of business applied for :
7. Size of the stall/vendor applied for :

I, hereby, declare that all informations above are true to the best of my knowledge and belief. I agree to comply the provisions of the bye-laws and other rules and regulation of the — — — — — Council/Nagar Panchayat and those which may be changed, altered or modified from time to time. I understand that any contravention of the Act and bye-laws framed thereunder is punishable.

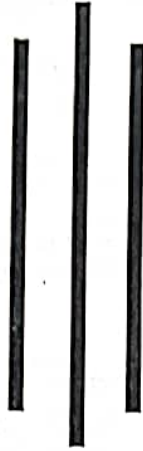
Date :  
Place :

Signature of the applicant

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Note :— Two copies of passport size photograph of the applicant shall be accompanied with the application.

# BYE - LAWS



## THE KAKCHING MUNICIPALITY (ADVERTISEMENT) BYE-LAWS - 2001

1. Short title :- (i) These bye-laws may be called the Kakching Municipality (Advertisement) Bye-Laws, 2001.  
(ii) These bye-laws shall come into effect from the date of their publication in the Official Gazette.
2. (i) "Act" means the Manipur Municipalities Act, 1994 ;  
(ii) "Advertisement" means all types and classes of advertisement created, fixed or displayed at any place, area or structure in the municipal area other than those published in the news papers ;  
(iii) "Permission" means a permission for erection, fixation or display of advertisement granted under these bye-laws :
3. No person shall erect, exhibit, fix, retain or display or cause to be erected, exhibited, fixed, retained or displayed any advertisement in any land, street, road, public park, place of public resort or entertainment, vehicle, public or private place, public or private building, wall hoarding frame, structure tree, lamp post or telephone post/poles or any structure or area visible from any public place or road without a valid permission obtained from the Council/Panchayat under these bye-laws.
4. For the purpose of granting permission under these bye-laws the Council/Panchayat may :-
  - (a) classify the advertisements into various categories, types and classes of advertisement :

*begin*



- (b) prohibit partially or completely any or all types, classes and categories of advertisements in any or all area of the municipality area ;
  - (c) Prescribe the method and manner of erection, exhibition, fixation, retention or display of any or all classes/types of advertisements by general or specific orders that may be issued to the public or the person concerned ;
  - (d) Fix and lay fees in respect of various areas, categories, types and classes of advertisements from time to time in schedule appended to this bye-laws ;
  - (e) Permit on licence to be obtained under these bye-laws persons or agencies to undertake production and display of advertisements on behalf of others.
5. (1) Every person desiring to erect, exhibit, fix, retain or display advertisement shall send or cause to be sent to the Executive Officer not less than seven clear days before advertising is to be made and in time printing advertisements or copies thereof or exhibiting them in any manner, a notice in duplicate in the prescribed form with all particulars required therein together with a copy of the matter to be advertised:

Provided that the Executive Officer may for reasons to be recorded in writing, reduce the time limit in special cases.

- (2) The grant or refusal of permission shall be intimated to the applicant in the prescribed form within seven days from the date of receipt of notice or such time as may be prescribed. The permission shall indicate the tax payable by the applicant in advance on the advertisement the manner and method of advertisement, the period of validity of the permission.
  - (3) ~~The permission so granted shall be issued on payment in advance of the taxes as fixed and period for grant of the permission.~~
  - (4) The Council/ Panchayat may also require, all copies of the advertisement to be affixed with seal of the Council/Panchayat in token of the tax having been collected.
  - (5) The production of the copies of the advertisement for the purpose of affixing the seal of the Council/Panchayat or the incorporation of the number of permission and date shall not be insisted upon in any case where the nature of the advertisement does not admit of such production or incorporation.
  - (6) The permission may be refused among others on the ground that the contents or the manner of the display of the advertisement are indecent or otherwise offensive to good taste or public sentiment.
6. (1) No advertisement shall be printed, painted, erected, fixed, exhibited, retained or displayed in violation of the bye-laws framed or orders/ instruction issued by the Council/Panchayat in this regard.
- (2) No advertisement shall be allowed in prohibited areas as declared by the Council/Panchayat.

- (3) No-objection certificate shall be produced from the concerned authorities in case of advertisements intended to be fixed, erected or displayed on lamp posts or telephone posts.
- (4) The mark sign or the seal of the Council/Panchayat or the Executive Officer that may be put on the advertisement shall not be defaced or caused to be defaced by any person.
- (5) The Advertisement Hoarding:—
- (i) Shall not be more than 9 metre high from the ground level
  - (ii) Shall not project or be over the public way more than 15m, beyond the general line of building in the street for which a regular line of street has been prescribed!
  - (iii) Shall not in the opinion of the Council/Panchayat be disproportionately large in comparison with the size of the land or building on which they are displayed.
- (6) The correct name and address of the printer, painter, or producer of the advertisement shall be legibly written in all copies of the advertisement. Every such printer, painter and producer shall also maintain true accounts and records of the person for whom the work was done, the number of copies printed/painted/produced, and shall be produced before the Council/Panchayat whenever so required.
- (7) The permission once granted may be withdrawn at any stage and time by the Council/Panchayat the interest of public order and prevention of nuisance and also on the ground of any violation of the provision of these bye-laws of the conditions of permission.
7. (1) No person or agency shall undertake to produce or display advertisement on behalf of other in the Municipality area without a valid license obtained from the Council/Panchayat under these bye-laws.
- (2) License for production and display of advertisement on behalf of others may be obtained by submitting and application in the prescribed form to the Council/Panchayat along with the necessary registration fee as fixed from time to time.
- (3) The license may be granted or refused at the discretion of the Council/Panchayat without assigning any reason thereof.
8. (1) The License shall be subject to license fee payable in advance at the time of issue of license and subsequently before the expiry of the validity period. In addition, the license shall be required to furnish a security deposit at the time of issue of license the amount of which may be fixed by the Council/Panchayat from time to time.
- (2) The license shall be valid for three years and expire automatically unless renewed and may be automatically renewed on payment of annual license fee before the expiry license.
- (3) The license issued/renewed may be cancelled or revoked at any stage and time by the Council/Panchayat for violation of any of the provisions of these bye-laws or terms and conditions of the license :

- Provided that an opportunity shall be provided to the licensee for being heard before such cancellation or revocation.
- (4) The license shall not be transferable.
  - (5) A licensed advertiser shall before displaying or causing the displays or advertisements satisfy himself that the permission of the Council/Panchayat has been obtained and the tax due thereon has been paid.
  - (6) A licensed advertiser shall maintain and furnish proper records and accounts of the advertisements displayed or caused to be displayed by him whenever required by the Council/Panchayat.
9. The power of the grant, refusal, renewal, cancellation or revocation of permission or license for advertisement or any other power that is necessary and expedient for the purposes by the Executive Officer or any Officer/employees authorised or empowered by the Executive Officer in this behalf.
  10. An appeal against an order passed or instruction given by the Executive Officer shall lie to the Chairperson of the Council/Panchayat. The decision of the Chairperson in all such appellate matters shall be final and no further appeal shall be allowed.
  11. Whoever commits a breach of any of the bye-laws above shall be punishable in addition to the penalise imposed under the Act, with a fine which may extend to one thousand rupees and in case of a continuing breach with an additional fine which may extend to fifty rupees for every day during which such breach continues after receipt for notice from the Council/Panchayat to discontinue such breach.

#### SCHEDULE

#### TAX ON ADVERTISEMENT BYE-LAWS, 2001

1. (i) In respect of non-illuminated advertisement on cloth hung across the street :
  - (a) In a street of 3 m. to 6 m. in breadth Rs. 15/- per calendar month or less than a Calendar month.
  - (b) In street of above 6 m. Rs. 30/- per Calendar month or less than Calendar month.
- (ii) In respect of advertisement on hoarding, walls, posts, stands, traffic island in the form of non-illuminated sky sign at the rate within the following range :
 

	Upto a week	per month	per year
(a) For a space not exceeding 6*1sq. m.	Rs. 3.00 to 6/-	Rs. 12/- to 15/-	Rs. 110/-
(b) For a space over 0.10 sq. m. upto 1 sq. m.	Rs. 5.00 to 8/-	Rs. 20/- to 25/-	Rs. 175/-

*Note: — Rates are revised in double on 7/2/2012*

$$1 \text{ sq.ft} = \frac{1}{10.764} \text{ Sq.m.}$$

5

- |  | <u>Upto a week</u> | <u>per month</u> | <u>per year</u> |
|--|--------------------|------------------|-----------------|
| (c) For a space over 1 sq. m. upto 2 sq. m.                        | Rs. 8.00 to 12/-   | Rs. 25/- to 30/- | Rs. 250/-       |
| (d) For every additional 1 sq. m. or less to the size of (c) above | Rs. 3.00 to 6/-    | Rs. 8/- to 12/-  | Rs. 75/-        |
- (iii) In respect of non-illuminated Advertisement on vehicles or conveyance.

- |  | <u>Upto a week</u> | <u>per month</u> | <u>per year</u> |
|--|--------------------|------------------|-----------------|
| (a) For every vehicle other than motor car or lorry or any other means of conveyance propelled by electrical power | Rs. 20/- to 25/-   | Rs. 75 to 85/-   | Rs. 550/-       |
| (b) For each motor car or lorry or any other conveyance propelled by mechanical power                              | Rs. 10/- to 15/-   | Rs. 30/- to 40/- | Rs. 300/-       |
| (c) For other conveyance such Rickshaw tonga etc.  | Rs. 5/- to 10/-    | Rs. 15/- to 25/- | Rs. 150/-       |

Note : Mere exhibition of the name of the owner of the vehicle lorry or car or any conveyance is not an advertisement liable to tax.

- (iv) Advertisement on Board carried by the stand-wich boardmen.

	<u>Upto a week</u>	<u>per month</u>	<u>per year</u>
	Rs.3/- to 6/-	Rs.10 to 15/-	Rs.90/-

- (v) Illuminated advertisement and sky sign. at the rate within the following range.

	<u>Upto a week</u>	<u>per month</u>	<u>per year</u>
(a) For a space upto 0.85 sq.m.	Rs. 10/- to 15/-	Rs. 25/- to 30/-	Rs. 250/-
(b) For a space above 0.85 sq.m. upto 1. sq.m.	Rs. 15/- to 25/-	Rs. 40/- to 45/-	Rs.350/-
(c) For every additional 1. sq.m. or less to size of (b) above.	Rs. 3/- to 6/-	Rs. 7/- to 12/-	Rs. 75/-

Note : For the purpose of calculation of size of an illuminated advertisement of sky sign the greatest length and greatest breadth will be taken into consideration at the rates within the following range

	<u>Upto a week</u>	<u>per month</u>	<u>per year</u>
(vi) Advertisement exhibition on screens by means of lantern slides or other devices in cinema house or other public places.	Rs. 15/- to 25/-	Rs. 40/- to 60/-	Rs. 350/-

Note:—Fraction of a month or a year shall be calculated at the basis of calculation of a week or a month it is necessary.

# BYE - LAWS



## THE KAKCHING MUNICIPALITY (SCAVENGING TAXES FOR TRADE AND HOUSEHOLD REFUSE) BYE-LAWS - 2001

1. Short title :-
  - (i) These bye-laws may be called the Kakching Municipality (Scavenging Taxes for Trade and Household Refuse) Bye-Laws, 2001.
  - (ii) These Bye-laws shall extend to the whole of the Municipality area.
  - (iii) These Bye-laws shall come into force from the date on which they are published in the Official Gazette.
2. Definition.—In these bye-laws unless the subject or context otherwise requires :—
  - (i) 'Act' means the Manipur Municipalities Act, 1994;
  - (ii) 'Household' means the occupants of a house or building if regarded as one unit;

- (iii) 'Refuse' means the waste or any items for materials rejected as worthless and rubbish as defined under section 2(51) of the Act;
- (iv) 'Scavenging Tax' means the tax mentioned under section 75(1)(c) of the Act;
- (v) 'Schedule' means Schedule appended to these bye-laws;
- (vi) 'Tax' means the Scavenging Tax imposed under these Bye-laws.

3. (i) No person shall use any premises for trade, profession and calling in a Municipality area unless he/she pays a scavenging tax to the Council/Panchayat for sweeping collection and disposal of the trade refuse, rubbish or waste generated by his trade, profession and calling at the rate as specified in the Schedule.

(ii) Every household or owner or occupier of a holding/Government building in a Municipality area shall pay a scavenging tax to the Council/Panchayat for clearance of household refuse, rubbish or waste at the rate specified in the Schedule.

4. (i) The list of trades, professions and callings which are liable to pay the tax shall be as specified in the Annexure to this bye-laws.

(ii) The procedure laid down in Bye-law 7(ii) shall mutatis mutandis apply in the case of the dispute as to the type of trade, profession or calling liable to pay the tax.

5. Every trader or vendor in a Municipality market and every household in the Municipality area shall collect the rubbish or refuse or waste in his/her premises & shall temporarily deposit the same in such manner at such place and time as prescribed by the Council/Panchayat for its final disposal.

6. The Council/Panchayat may remove garden refuse, rubbish or waste from the premises of private parties or individual households on payment of collection fees at the rate as specified in the Schedule.

7. (i) Assessment of refuse, rubbish or waste generated and the tax payable thereby shall be made by the Officer/Officers to be authorised in this behalf by the Executive Officer.

(ii) Any trader, occupier or owner of a holding/building who is not satisfied with the assessment made under sub bye-law (i) may appeal to the Executive Officer within 15 (fifteen) days from the date of a notice for demand of tax is issued.

(iii) The Executive Officer shall dispose of the appeal within a period of 7 (seven) days from the date of filing such appeal and his decision shall be final.

8. (i) Assessing Officer(s), authorised in this behalf, shall make annual assessment from 1st April to 31st March of the financial year and such assessment shall be completed by the end of the month of May of the assessment year.

(ii) A notice of demand of tax payable shall be served to the person liable to pay the tax before the end of the month of June of the assessment year.

(iii) The tax assessed for the year shall be payable to the Council/Panchayat before the commencement of the month of August of the assessment year.

(iv) A person, liable to pay tax under these Bye-laws, may pay the tax on self-assessment basis.

Provided that the balance of tax, if found liable to pay a higher tax on the subsequent inspection by the Assessing Officer, is paid by him before the commencement of the month of August of the assessment year.

9. If any person, who has been served a notice of demand under Bye-law 8(ii), fails to pay the tax before the commencement of the month of August of the assessment year shall be liable to pay a penalty not exceeding Rupees five hundred and for delay in payment of the tax alongwith penalty a further penalty not exceeding Rupees ten for each day of continuing delay after written notice of the offence is communicated to the offender.

Provided that no penalty shall be imposed without giving an opportunity of being heard to any person for his failure to pay the tax after the notice of demand has been served.

10. If the tax payable by the owner of any holding/building remains unpaid after the notice of demand has been duly served, and if such owner is not resident within the Municipality or the place of abode of such owner is unknown, the tax may be recovered from the occupier for the time being of such holding/building, who deduct, from the next and following payments of his/her rent, the amount which may be paid by or recovered from him/her.

Provided that if any such holding/building is occupied by more than one person, the sum to be recovered from any such present shall be proportionate to the quantum of refuse, rubbish or waste as assessed by the Assessing officer for the respective occupants.

11. If any holding/building is occupied by more than one occupier or tenant, the Council/Panchayat may recover, from the owner of such holding/building, the tax payable by the occupiers or the tenants of the holding/building.

12. The Council/Panchayat may, whenever considered necessary in the interest of efficient management and administration conveniences, appoint, by public auction or by inviting tenders, any private agent, contractor or individual for collection and disposal of refuse, rubbish or wast under such terms and conditions as may be fixed by the Council/Panchayat from time to time.

13. (i) Notwithstanding anything contained in Bye-law 8, on the enforcement of these Bye-laws, the first tax shall be levied from the beginning of the month following the month of enforcement.

(ii) The assessment of tax for the remaining part of the financial year shall be made on pro-rata basis within a period of two months.

(iii) The tax shall be payable within the third month of enforcement after serving notice of demand.

**"LIST OF TRADES, PROFESSION AND CALLING LIABLE TO PAY TAX"**

1. Association
2. Auctioneer
3. Authorised Agent (Except residential office)
4. Auto parks
5. Bank
6. Beauty Parlour
7. Boarding House
8. Canteen
9. Carpenter
10. Caterer
11. Cinema
12. Cinema Film Studio
13. Cold storage
14. Cleaner
15. Clearing & Forwarding Agent
16. Clinic
17. Dairy & Cattle-shed
18. Dentist
19. Decorator
20. Diesinker
21. Depot Owner
22. Diesel filling Station
23. Distributor
24. Dyer
25. Engraver
26. Exporter
27. Factory
28. Film Distributor
29. Film Studio
30. Flour Mill
31. Freight Borker
32. Godown Owner
33. Health Resert
34. Hair Dressing Saloon
35. Holder or Dealership

36. Hotel Keeper
37. House Dealer
38. Hydrotherapy Bath
39. Ice Factory
40. Importer
41. Intoxicating drug
42. Intoxicating Liquor
43. Jatra Party
44. Lodging House
45. Laundry
46. Lithographer
47. Market Owner
48. Manufacturer
49. Medicine Factory
50. Merchant
51. Mill
52. Motor Garage/Workshop
53. News Paper
54. Nursing Home
55. Office Establishment
56. Oil Mill
57. Opera Party
58. Pathological Laboratory
59. Petrol Filling Station
60. Photographer
61. Phototyper
62. Photo processing
63. Place of Public Entertainment/Resort
64. Poultry
65. Press House
66. Printer
67. Restaurant
68. Retail Trader
69. Rice Mill
70. Rickshaw Manufacturing
71. Sanitorium
72. Saw-Mill
73. Screw House
74. Shop Keeper
75. Slaughter House
76. Shoe Factory

77. Soap Factory
78. Structural Fabricating shop
79. Tannery
80. Trader
81. Thela Manufacturing
82. Ware House
83. Whole sale Trader
84. Workshop
85. Vendor.

UNDER THE HEAD SHOP KEEPER IS INCLUDED :

1. Sweetmeat shop
2. Grocery shop
3. Meat selling shop
4. Fish seller
5. Dry fish shop
6. Sanitary foods shop
7. Telebhaja shop
8. Vegetable shop
9. Fruit shop
10. Fresh Juice Drink shop
11. Pan and cigarette shop
12. Cloth shop
13. Ready-made garments shop
14. Jewellery shop
15. Stationery shop
16. Medicine shop
17. Teastall
18. Coal shop
19. Machine shop
20. Ration shop
21. Tailoring shop
22. Bakery
23. Moulding shop
24. Book binding shop
25. Old paper selling shop
26. Wheat grinding shop
27. Spices grinding shop
28. Ice seller
29. Fire wood shop
30. Hard ware shop
31. Scrap metal shop
32. Clay modelling shop
33. Sweet Ingredient shop
34. Smithy shop
35. Cobber's shop
36. Glassware shop
37. Consumer durable selling/serving shop and such others.

## SCHEDULE

**THE RATE OF SCAVENGING TAX  
THE RANGE AS SPECIFIED BELOW**

SL. N.O.	PARTICULARS	RANGE OF ANNUAL RATE
<b>1. Scavenging Tax for Trade Refuse :</b>		
(a)	Daily refuse not exceeding 1 cft.	Rs. 100/- to 200/-
(b)	Daily refuse exceeding 1 cft. but not exceeding 2 cft.	Rs. 200/- to 400/-
(c)	Daily refuse exceeding 2 cft. but not exceeding 3 cft.	Rs. 300/- to 800/-
(d)	Daily refuse for every additional 1 cft. or part there.	Rs. 100/- to 200/-
<b>2. Scavenging Tax for Household Refuse :</b>		
(a)	Daily refuse not exceeding 1 cft.	Rs. 50/- to 100/-
(b)	Daily refuse exceeding 1 cft. but not exceeding 2 cft.	Rs. 100/- to 200/-
(c)	Daily refuse exceeding 2 cft. but not exceeding 3 cft.	Rs. 150/- to 400/-
(d)	Daily refuse for every additional 1 cft. or part thereof.	Rs. 50/- to 100/-
<b>3. Fees for Collection of Garden Refuse :</b>		
		<b>Range of Rate Per Trip</b>
(a)	Truck/Lorry	Rs. 400/- to 750/-
(b)	Tractor/Mini-Truck	Rs. 300/- to 500/-
(c)	Hand-cart/Wheel borrow/Cycle-cart	Rs. 50/- to 100/-

# BYE - LAWS



## THE KAKCHING MUNICIPALITY (REGULATION OF MARKET) BYE-LAWS - 2001

1. Short title :- (i) These bye-laws may be called the Kakching Municipality (Regulation of Market) Bye-Laws, 2001.
- (ii) These bye-laws shall come into force from the date of their publication in the official Gazette.
2. Definition:— For the purposes of these bye-laws unless there is anything repugnant in the subject or context.
  - (i) 'Act' means the Manipur Municipalities Act, 1994.
  - (ii) 'Licence' means a formal written permission granted to person/persons for carrying out business within the markets as defined in the Act.
  - (iii) 'Municipality Market' means a market belonging to or maintained by the Council/Panchayat.
  - (iv) 'Private Market' means a market not belonging to or maintained by the Council/Panchayat.
  - (v) 'Licensee' means a person, firm, corporation or an association who/ which is licensed to run the establishment or carry on business in a

Municipality or private market in any allotted shop, stall, shed, stand pan, or plot thereof.

- (vi) 'Dealer' means a person carrying on the business of buying and selling of articles, whether wholesale or retail and whether or not in conjunction with any business and includes an agent or any employee engaged by him/her for the business.
- (vii) 'Health Officer' means an officer so appointed of the Municipal Council/Panchayat.
- (viii) 'Tenant' means a person, firm or association with whom an agreement in written has been executed by the Council/Panchayat in respect of rooms, stalls in a Municipality Market.

#### MUNICIPALITY MARKET

- 3. (i) 'The Council/Panchayat may provide places for use as Municipality Market.'
  - (ii) No shop, room, stall, shed, pan stand or plot in a Municipal Market shall be allowed for use except by way of licence under these bye-laws.
  - (iii) No person shall occupy or carry on any occupation, business or calling in any shop, room, stall, shed, pan stand or plot in a Municipality Market without a valid licence obtained from the Council/Panchayat under these bye-laws.
4. The Council/Panchayat may levy any one or more of following rents/ fees at such rate as provided in the Schedule appended to this bye-laws.

#### Farming out of Municipal Market

5. The Council/Panchayat may whenever considered necessary in the interest of efficient management and administrative convenience farm out any Municipal Market in respect of collection of fees and tolls by public auction in accordance with regulations framed in this behalf.

6. Procedure for grant & renewal of licence.

- (1) Licence may be issued by call of public applications & draw of lots or any other manner as decided by the Council/Panchayat from time to time subject to the terms and conditions stipulated in these bye-laws.
- (2) Application for grant of licence under these bye-laws shall be made in the prescribed manner with the necessary fees as fixed by the Council/Panchayat from time to time to the Executive Officer not later than 30 days before the date from which the licence applied for is to be commenced or such time as notified by the Council/Panchayat.

(3) A licence granted under these bye-laws shall be valid upto 31st March of a year and may be renewed every year.

(4) Application for renewal of licence shall be made in Form A to the Executive Officer at least 30 days prior to the expiry of the licence.

7. Conditions of grant of license :

(1) Every licence granted under these bye-laws shall be issued subject to the payment of licence fee as prescribed in this schedule. Such licence fee shall be payable annually in advance before the issue of license and subsequently before 31st March of every year.

(2) The license shall expire on 31st March of a year unless renewed according to these bye-laws.

(3) The renewal of a license may be refused or withheld without assigning any reason thereof.

(4) The license issued/renewed under these bye-laws may be cancelled at any of the provisions of these bye-laws or of the terms and conditions of the license.

(5) No tenant/licensee shall occupy or carry on business in the market without payment of the license fee at such rates as specified in the schedule.

(6) No person shall occupy or continue to occupy any shop, stall, shed, plot or any part thereof in a Municipal Market after completion of a normal term not exceeding a financial year without renewal of the licence unless terms and conditions of the licence specially permits occupation of the said shop, stall, shed or plot for more than the normal terms of one year at a time.

*amended*  
The legal successor or successors after the death or otherwise of the licensed tenant/occupier shall not be eligible or entitled to occupy the shop, stall, shed or plot.

(8) No licensee or his/her legal agent or attorney or successor shall have a right to claim renewal of the licence as a matter of perpetual succession and the Council/Panchayat shall be competent to refuse renewal of the agreement in such cases, if it considers it so necessary.

*mit be hold*  
(9) No tenant/licensee shall sell/assign or otherwise part with the possession of the right of occupation of a shop, stall, shed or plot in a Municipal Market to any other person on payment of premium in the nature of the good will or for any other consideration.

No right to let out to others

(10) No tenant/licensee shall let out the whole or any part of the shop, stall, shed or plot, and/or transfer the right of occupation of the said room, shop, stall, shed or plot to any person.

immediately

(11) Every tenant/licensee in a Municipality Market who shall employ another person to carry on his/her business at such shop, stall, shed stand or other place or his/her behalf and as his/her substitute shall register the name of such person with the Council/Panchayat. Such tenant/licensee shall forthwith cease to employ at such shop, stand, or other place any person whose employment in that capacity may be prohibited in writing by the Council/Panchayat.

can't be used as godown

(12) No part of the shop, stall, shed or plot within a Municipality Market shall be used as godown or for storage of articles.

(13) No tenant/licensee shall construct, reconstruct, repair or take steps for remodelling of any shop, stall, shed or plot in his/her possession or otherwise.

(10) No tenant/licensee shall remove or dismantled any Municipal property or any way cause loss or damage to Municipal property in a Municipal Market.

8. Where a Municipality Market is farmed out and the right to collect tolls, rent or fees is sold either in public auction or by inviting tenders and a lessee is appointed under such terms and conditions as may be prescribed, the lessee shall, in addition to the terms and conditions as laid down herein above be bound by the following conditions :-

(a) The lessee shall not demand more than the prescribed toll, rent or fees from any licensee carrying on business within the Municipality markets and shall issue prescribed receipts against payment of such toll, fees or rents.

(b) The lessee shall not evict any licensee from the Municipal Market without prior permission of the Council/Panchayat.

(c) The lessee shall not allow licensee to occupy drain, interior path, open spaces within the Municipal Market or allow to act in any other manner which will hinder free movement of people visiting the Market.

(d) The lessee shall report immediately to the appropriate Municipal Authority of any un-authorized construction, extension or repair of any shop, stall, shed or plot in a Municipality market.

(e) The lessee shall maintain or cause to maintain the market in proper sanitary condition according to terms and conditions of lease.

(f) The lessee shall comply with or cause compliance of all the provisions under these bye-laws.

- ✓ 9. **'Private Market'** (i) No persons, a body of person, group, firm or society shall establish or run any private market without obtaining a valid license from the Council/Panchayat for this purpose.
- (ii) Application for granting license for private market shall be made by the owner of the place or his/her duly authorised agent or attorney at least 45 days before such place is intended to be used as a market to the Executive Officer.
- (iii) Licenses issued for private market shall expire on 31st December of every year and shall be subject to renewal on the 1st January of every subsequent year.
10. (i) The licensee for a private market may be granted, renewed, refused or withheld subject to such regulations as to the sanitation inspection and to such conditions as to the sanitation drainage, water supply, width of path and ways weight and measures to be used and rents and fees to be charged in such market as fixed by the Council/Panchayat from time to time.
- (ii) The Executive Officer shall cause a notice to the effect that the market has been so licensed to be affixed in some conspicuous place at or near the entrance of every such market.
- (iii) When a license has been refused or withheld as aforesaid the Executive Officer shall cause a notice of such refusal or withholding to be affixed in some conspicuous places at or near the entrance of such market.
11. (i) Application for grant of licenses under these bye-laws shall be made in prescribed form to the Executive officer.
- (ii) Application for renewal of licenses shall be made in the prescribed form to the Executive Officer latest by 30th November of every year failing which the licenses shall not be renewed and may be liable to cancellation.
- (iii) The renewal of licenses may be refused or withheld by the Council/Panchayat without assigning any reasons thereof.
- (iv) Provided that the licensing Authority shall not refuse or withhold renewal of license for any reason other than the failure of the licenses to comply with any of the provisions of the Act or bye-laws made thereunder.

Provided further that the refusal or with-holding renewals of licenses shall be at the discretion of the Council/Panchayat if it is in the public interest or the place is required for public purposes.

- (v) The licenses issued/renewed under these bye-laws may be cancelled at any stage and time without notice for any of the violations of the terms and conditions of the license.

12. Eviction of unlicensed persons. Any persons whose license has been cancelled or the renewal of whose license with hold or refused shall vacate the shop, room, stall, stand, shed, pan or plot occupied by him/her within two days of the communication of the cancellation/refusal failing which he/she may be evicted from the market by use of force and any article belonging to him/her in the said market may be confiscated by the Council/Panchayat.

13. Power to grant refuse, renew and cancel licenses. (i) All powers of the Council/Panchayat in respect of grant, issue renewal, refusal, cancellation, with holding of a license or any other power or function necessary or expedient for the purposes of these bye-laws shall be exercised by the Executive Officer or any Officer or any Officer duly authorised by him/her.

- (ii) The Executive Officer and/or any Officer or employee in charge of a municipal market shall be competent to inspect, take measurement of any shops stall, shed or plot during working hours or otherwise and may demand opening of a closed shop, stall or shed to ascertain if any of the by-laws and terms and conditions of the license and agreement has been violated.

14. General condition for license and use of Municipal and Private markets

- (1) Every tenant/licensee in occupation of shop, stall or shed in a Municipal market shall keep and maintain every such shop, stall or shed in proper sanitary condition.
- (2) No person shall obstruct or hinder or put hurdles to any sanitary staff engaged in clearance of drain, interior paths and open spaces in between the shop, stall or shed in a market.
- (3) No person shall store, sell or expose for sale any article within the market except as provided under these bye-laws and shall in no way obstruct or put hurdle on free movement of people visiting the market.
- (4) No person shall keep or expose for sell fish or meat other than on raised paved platforms and at places set apart for the purpose in the market.
- (5) No person shall sell or expose for sale any stale fish meat or decayed vegetables in the market and the municipality Health Officer

of the Council/Panchayat in this behalf shall be competent for destroying such fish, meat and vegetable in any manner as he/she deems fit and proper.

- (6) No person shall carry any meat in a market unless it is properly covered.
- (7) No person exposing articles for sale in a market shall throw or deposit any offensive matter, rubbish, dried or decayed Vegetables and/or other articles on any place other than in receptacle or place set apart for the purpose.
- (8) No person shall throw or deposit any article on the road or path or on the drain or in any way obstruct from flow of drain inside and/or surrounding the municipal market.
- (9) No person shall keep or allow to keep any basket, bags and/or any other such articles on the roof of shop, shed or stall or make provision for improvised shed for any purpose by spreading over the sky session, cotton or any other substance and take or allow to take any action which directly or indirectly contribute to creation or nuisance and breaking the orderly state of affairs in the market.
- (10) Every tenant/licensee in occupation of a shed, stall and shed in a market shall take adequate measures to combat fire and for prevention of fire hazards.
- (11) No person shall keep inflammable articles in a shop stall or shed or use any part thereof for storage of such articles without proper care and the Executive Officer or the health Officer or any Officer authorised for the purpose shall be competent to order removal or cause removal of such article from the said shop, stall or shed.
- (12) No person in occupation of a shop, stall and/or shed in a market shall obtain electric connection for his/her shop, stall and/or shed directly except under such terms and conditions as may be prescribed.
- (13) No person shall spit in any avenue or passage in a market except in such places as may be provided for the purpose.
- (14) No person shall satisfy a call of nature within any market area except at a urinal/latrine provided for the purpose.
- (15) No person suffering from leprosy, an open sore or any loathsome infections or contagious disease may enter any market place and the Executive Officer or any Officer in charge of market shall be competent to remove such from such market place.

- (16) The Executive Officer or any other Officer in charge of the markets may expel any such person who is found drunk or begging or littering or making noise or fighting or quarrelling or using insulting abusive or obscene language or misconducting himself or herself or creating disturbance in any manner in such market,
- (17) No person shall use any weights, scales and measures except such standard weights, scales and measures as prescribed from time to time by the Government.
- (18) No person shall hawk, solicit customers and sell any article by auction in any market. Unless a prior permission is obtained from the Council/Panchayat.
- (19) No person shall exhibit or display advertisement of any nature in a market in contravention of bye-laws specially framed for the purpose.
- (20) Subject to the restriction that may be imposed by Government every shop and stall keeper of a municipal shall be bound to keep his/her shop and stall open from 7 A.M. to 7 P.M. unless for unavoidable domestic cause in individual case.
- (21) Any shop or stall keeper of the Municipal Market closing his/her shop or stall, unless for some unavoidable reason of a private or domestic nature or refusing to sell goods to any person offering the market price for some will be liable for cancellation of the license for his/her shop, stall or shed and the Executive Officer, shall be competent to reject the shop or the stall keeper from the Municipal market.
- (22) No person shall carry on wholesale trade in any article within or without the market objecting valid licence for the purpose and payment of the prescribed tolls or fees to the Council/Panchayat or the lessee of the Council/Panchayat or the lessee of the Council/Panchayat in case the Municipal Market is farmed out.
- (23) No vehicle or animal other than those intended for sale shall be permitted to remain in any part of Market except in such places provided for the purpose. No person in charge of any wagon, cart, truck, borrow or other vehicle or of any beast of burden shall cause or allow such vehicle or of any beast to stand in any avenue or passage in such market or in any of the immediate approaches thereto for any longer time than shall be reasonable necessary for the loading or unloading of any goods, provisions of any other marketable commodities or articles that might be brought therein.

(24) Every private market shall without notice open to inspection by the Executive Officer or any other officer authorised by him in these behalf at any hour when such market is being used.

(25) All shops, rooms blocks, apartments in a private market shall construct of masonry and non-inflammable materials and with suitable approaches entrances passages and gates of sufficient width in accordance with building bye-laws framed in this respect.

(26) The Executive Officer may require the whole or any part of such Market to be roofed.

(27) The flooring and the drainage shall be kept at all time in good order and repair and there shall be provisions for suitable means of ventilation and lighting along with sufficient supply of wholesome water.

(28) Every part of the Market shall be thoroughly cleansed as often as may be necessary and all accumulation of filth or refuse therein shall be avoided.

(29) Every part of the internal surface of the walls and ceiling of every apartment upon such premises shall be limewashed to the satisfaction of the Council/Panchayat at least twice in every year or more than if so required.

(30) Articles as and when required by the local health authority shall be aired and exposed to the sun and no articles of food or drink which are noxious unwholesome or otherwise unfit for human consumption shall be sold or exposed for sale.

(31) Every tenancy/licensee in occupation of shop, stall and/or shed in a Municipal Market shall be liable for compensation to the Council/Panchayat for any wilful and negligent action causing loss or Municipal properties if such wilful and negligent action on the part of the tenant is proved after proper enquiry constituted by the Executive Officer.

(32) The Executive Officer may expel, object or evict any person, including a tenant or licensee who or whose servants/agents have contravened any of these bye-laws in a market and may prevent such person or his/her servants/agents from furthering or carrying on any trade or business in such market or occupying any shop, stall, stand, shed or other place or may cancel the human and terminate any lease or tenure which such person may have in any such shop, stall, shed or place.

**POWER TO GRANT RENEW REFUSE AND CANCEL LICENSES**

15. All powers of the Council/Panchayat in respect of grant, issue, renewal, refusal, cancellation with holding of a licence or any other power or function necessary or expedient for the purposes of these bye-laws shall be exercised by the Executive Officer or any Municipal functionary authorised by him/her.

16. It shall be lawful for the Executive Officer or any Municipal Officer/Employee authorised or empowered in this behalf by him/her or under these bye-laws or any provision of the Act :—

- (a) To issue to the licensee such direction as he/she may deem necessary for securing proper compliance with the bye-laws or in the interest of public safety health.
- (b) To inspect the premises, article, furnitures, merchandise etc. on the plot during working hour or otherwise to ascertain compliance of these bye-laws and/or of the conditions of the licensee.
- (c) To remove or cause to be removed forthwith from such premises any articles or merchandise which in his/her opinion is stale, unwholesome or unfit for human consumption besides prosecuting the licensee for violation of the bye-laws.
- (d) To seize details destroy and/or dispose articles of food or drink and vessels, receptacles used for keeping such articles of food or drink as are stale, unwholesome or unfit for human consumption.
- (e) To suspend, withhold or refuse to renew or completely revoke any license granted under these bye-laws in respect of any place on grounds of public health or safety or where any of the conditions specified in these bye-laws is not being strictly observed.

Provided that such suspension, withholding, refusal or revocation of the license shall not be deemed to exempt the licensee or any other person from liability to prosecution under these bye-laws and.

Provided further that such suspension refusal or revocation shall be made only after an opportunity is given to the licensee to show cause in the matter.

- (f) To revoke the licence granted to a person under these Bye-laws if he/she is satisfied that it has been secured by the person through misrepresentation or fraud or if any of the instructions have not been complied with or the person has been convicted for violation of any of the provisions of the Act or any rules or bye-laws made thereunder relating to any matter for which the licence or the permission has been granted.

Provided that before making an order of suspension reasonable opportunity shall be afforded to the person or the licensee to show cause in the matter.

- (e) To evict by use of force any person from the market whose licence has expired or has not been renewed or has been cancelled refused or withheld and has not vacated the shop room, stall, shed, stand, pen plot occupied him even after two days of expiry or cancellation or refusal of the licence.

17. An appeal against the order passed or instruction given by an officer subordinate to the Executive Officer shall lie to the Executive Officer and against order passed or instruction given by the Executive officer shall lie to the Chairperson. The decision of the Chairperson in the appellate matters shall be final and no further appeal shall be allowed.

18. In the case of shops, hotels eating houses, etc. situated in Municipality/ private markets of the Council/Panchayat where the Manipur Municipalities (Registration and licensing of shops) bye-laws and Manipur Municipalities (Regulation of Hotels, Boarding and lodgin houses, Rest houses, Restaurant, Eating houses, Cafe, Refreshment rooms Residential Clubs etc). Bye-laws are enforced the provisions of those bye-laws mutatis mutandis shall apply to such shops, hotel, eating houses, etc.

#### PENALITY

19. Whoever commits a breach of any these bye-laws or any other conditions or the licence and agreement in addition to the penalties under the act shall be punishable.

- (a) With a fine which may extend to two hundred fifty rupees.  
 (b) and in the case of continuing contravention, with an additions fine which may extend to 50 rupees for every day during which such contravention continues after the first such contravention.

20. A fine not realised within 15 days from the issue of notice of fine shall be deemed to be in arrear and may, realised as an arrears of land revenue.

SCHEDULE  
 (See by-law 4)

### RATE OF RENTS/FEES THE RANGE AS SPECIFIED BELOW

- (a) Rent for the use of:—
- (i) shop, rooms stall etc. — Rs. 2.50 to 5.00 per/sq.m. p.m.
  - (ii) shed, pen, stored plot etc. — Rs. 1/- to 2/- —do—
- (b) Licence fee for the use of or the right to expose goods for sale.
- (i) (the same schedule of shop licence fee may be adopted for shops etc).
  - (ii) For shed, pen, stand plot etc. to a max. of Rs. 100/- annually.
- (c) fees on animals brought for sale into or sold in Municipality markets.
- (i) Cat, goat, sheep pig etc. Rs. 2/-
  - (ii) each chicken duck and other birds—Rs. 1/-
- (d) Licence fees for :
- (i) brokers commissioned agents : Rs. 100/- to 500/- Annually
  - (ii) Wigner porter/Coolie etc. Rs. 50/to 100/- —do—

# BYE - LAWS



## THE KAKCHING MUNICIPALITY (PARKING FEE) BYE-LAWS - 2001

1. Short title :- (i) These bye-laws may be called the Kakching Municipality (Parking Fee) Bye-Laws, 2001.
  - (2) They shall extend to the whole of Municipal area.
  - (3) They shall come into force from the date of their publication in the official Gazette.
2. Definitions:—In these bye-laws unless the subject or context otherwise requires,
  - (a) "Parking area" means any place within Municipality area/Nagar Panchayat area declared or notified as the place for parking of motorised vehicles by the State government under section 117 of the Motor Vehicle Act, 1988 and any place within the Municipality/Nagar Panchayat area declared or notified as the place for parking of non-motorised vehicles by the Municipality under section 113 of the Manipur Municipalities Act, 1994.
  - (b) "Security Forces" means Army, Police and other Paramilitary forces.

(c) "Vehicle" means:-

- (i) motorised vehicles like Bus, Lorry, Minibus, Tempo, Car, Jeep, Auto Rickshaw, Two-wheelers; and
- (ii) non-motorised vehicles like Cycle Rickshaw, Thela, Bullock Cart, Horse Cart and Bicycle.

3. No vehicle shall park in the parking area without payment of parking fee as specified in the Schedule appended to this Bye-laws.
4. Any employee authorised by the Executive Officer in this behalf will have the power to see if any vehicle is parking fee and he shall realise parking fee immediately from the Driver of the vehicle, if not paid already. Every drivers of any vehicles should produce receipt for payment of parking for fee when demanded by the authorised employee and if can not produce receipt it shall be taken that no parking fee has been paid.
5. Parking fee may be paid in the office of the Municipality or on the spot and receipt for payment of parking fee is valid for parking in the parking area and for the day/hour(s) mentioned in the receipt for payment of parking fee.
6. All Government vehicles on duty shall be exempted from payment of parking fee.
7. The Council/Panchayat may appoint an agent(s) either by inviting tenders or through open auction for collection of parking fee for a particular area or all parking area on such terms and conditions as may be decided by the Council/Panchayat.
8. No vehicle shall park at any place within Municipality/Nagar Panchayat area other than those so declared as parking areas under bye-law 2 (a).

#### SCHEDULE

The parking fee(s) shall be imposed as under :

Sl. No.	Classes of vehicle	upto 3 hrs.	upto 6 hrs.	upto 12 hrs.	beyond 12 hrs.
1.	Bus, Truck Lorry	Rs. 5/-	Rs. 7/-	Rs. 12/-	Rs. 2/- for every addl. hrs.
2.	Mini Bus, Vans, Tempo, Car & Jeep.	Rs. 3/-	Rs. 5/-	Rs. 10/-	Rs. 1/- for every addl. hrs.
3.	Auto Rickshaws	Rs. 2/-	Rs. 4/-	Rs. 8/-	—do—
4.	Two wheelers.	Rs. 2/-	Rs. 4/-	Rs. 8/-	—do—
5.	Cycle, Rickshaw, Thela, Bullock, Horse Cart.	Rs. 2/-	Rs. 4/-	Rs. 5/-	—do—
6.	Bicycles.	Rs. 1/-	Rs. 2/-	Rs. 3/-	—do—

KAKCHING MUNICIPALITY (REGULATIONS OF CYCLE-RICKSHAW) BYE-LAWS, 2001  
FRAME UNDER SECTION 209 OF THE MANIPUR MUNICIPALITIES ACT, 1994

1. Short title: These Bye-Laws may called " The Cycle Rickshaw Bye-Laws ".
2. Definition : "Chairperson" means Chairperson of the Kakching Municipal Council.
  - ii) "Council" means Kakching Municipal Council.
  - iii) "Cycle-Rickshaw" means a carriage of three wheeled vehicle with springs or other appliances acting as springs, of a kind ordinarily used for conveyance of human beings or goods or both.
3. Extent & Commencement:
  - 1) These Bye-Laws shall extend to the whole of the Municipal area.
  - ii) It shall come into force on the date of publication in the Manipur Gazette.
4.
  - i) No person shall act as a driver of a Cycle-Rickshaw except under a licence granted by the Municipal Council in that behalf. The fee for registration such licence will be Rs.100/-
  - ii) Every one who desires to take the licence shall submit to the Municipal Office as application in the prescribed form available at the Municipal Office and duly filled in. He shall along with the application furnish :-
    - a) Two passport size photograph one to be retained in the Municipal Office and the other should be pasted on the Licence granted to him.
    - b) One Medical Certificate stating that he is physically fit for the purpose of being a Cycle-Rickshaw Driver and also that he is free from any infectious disease and that he is not under eighteen years of age.
  - iii) Every Licence granted under Bye-Laws No.4(ii) above shall be renewed every year at a fee of Rs. 50/-
5. The Licencing Officer means the Executive Officer of the Council or any other Officer authorised in this behalf by the Council. He shall sign on the licence in ~~xxxx~~ of ~~the~~ issue.
6. The Driver must carry with him while in service, the Licence granted to him.
7. The Licencing Officer shall be competent to cancel or to suspend the licence granted to any Rickshaw Driver for such period as he deems fit if he violates any of the provisions of these Bye-Laws.
8.
  - a) No one shall play the Cycle Rickshaw or cause it to be plied unless it is registered first and the registration is renewed in time every year on payment of the fees mentioned below:-
    - 1) Registration fee - Rs. 100/-
    - ii) Annual renewal fee - Rs. 50/-
  - b) The Ownership of a Cycle-Rickshaw may be transferred on payment of transfer fee of Rs. 50/-
9.
  - i) No driver of a Cycle-Rickshaw shall realise hire charge for trips in excess of those stated below :-
    - a) to any place not exceeding 1 Km. - Rs.5/-
    - b) to any place exceeding 1 Km. but not exceeding 2 Km. - Rs.10/-
    - c) to any place exceeding 2 Km. but not exceeding 3 Km. - Rs.15/-
    - d) to any place exceeding 3 Km. & every additional Km. - Rs. 3/-
    - e) Contract rate per hour - Rs.30/-
    - f) Contract rate from sun-rise to sun set - Rs.100/-
    - g) Any waiting as requested by the hirer if the time is not more than 10 minutes no charge will be made.

P.T.O.

- ii) A list of rates should be clearly written on the back of the Rickshaw in order to enable any person to see it at a glance. Registration number of the Cycle Rickshaw and the particulars of (a) & (g) in the above must be written at the owners cost of the back of every Cycle Rickshaw. The size of each numerical figure of the registration number shall not be less than 15 cm. in length.

Note : The rates are meant for the period from sunrise to 8 p.m. (6) under Bye-law No. i(f) above. The period from sunrise to sunset will cover a period of 08 hours. (8 hours).

- iii) The Rickshaw Driver should play their Rickshaw in the Municipal area at least upto 8 p.m.

10. Standard size of a Rickshaw shall be as follows :

Length of seat	-	66 cm.
Breadth of seat	-	30 cm.
Body height from the seat	-	66 cm.
Axle	-	72 cm.

11. No Cycle-Rickshaw shall carry a load in excess of the following:

- two adult persons, or
- one adult persons 2 children below 12 years, or
- three children below 12 years, or
- One adult person and 2 children and luggage not exceeding 15 kg, or (15)
- One adult person, and child below 12 years and luggage exceeding 20 kg, or
- One children below 12 years and luggage not exceeding 47 kg, or
- a luggage not exceeding 94 kg, or
- One adult person and luggage not exceeding 30 kg .

12. Each Cycle-Rickshaw shall have two lights.

13. Each Cycle-Rickshaw shall have an adjustable tarpauline hood to protect the passenger from sun or rain.

14. Each Cycle-Rickshaw shall have a horn for giving signal.

15. Each Cycle Rickshaw Driver shall not be rude in dealing with any passenger.

16. No obscence or objectionable words or songs shall be used or sung by the driver while playing the rickshaw with passenger and no annoyance of any sort shall be given to the passenger.

17. No Rickshaw Driver shall refuse service on flimy grounds.

18. If any driver of any Cycle Rickshaw is aware that he has carried a passenger suffering from an infections disease he shall at one thoroughly disinfect the cycle Rickshaw.

19. No driver of any Cycle-Rickshaw shall, while driving wear any clothes which is likely to impede his driving or render it dangerous.

20. No Driver of any Rickshaw shall smoke while driving with Passenger.

21. No Cycle Rickshaw which is not in serviceable condition shall be allowed to play.

22. Rickshaw fitness certificate issued by an officer duly authorised by the Council for the purpose is to be carried with the driver while driving

23. On demand by any police officer in uniform or the Licencing Officer or any other Officer/Official authorised by the Licencing Officer the driver should produce all the necessary documents for the purpose of checking.

24. No Rickshaw should be left or kept standing in the Bazar area for a period longer than reasonably required for lifting/dropping passengers/for loading/unloading purposes.

P.T.O.

25. The penalty for the infringement of any of the Bye-Laws shall be :-
- a) a fine not exceeding Rs.25/- for the first offence and a fine not exceeding Rs. 50/- for the 2nd and subsequent offence.
  - b) the fines imposed under these bye-laws may be treated as a tax to the Council under the Manipur Municipalities Act, 1994.
  - c) except as otherwise specifically provided in these bye-laws it shall be competent to the licencing Officer or an Officer of the Council duly authorised for the purpose by the Chairperson to impose the penalties for the violation of these bye-laws.
26. Any one aggrieved with the order of the Licensing Officer of the authorised officer may file an appeal against the order may file an appeal against the order to the Chairperson. If he is again aggrieved with the order of the Chairperson he may file an appeal against it to the Council and the decision than arrived at in a meeting of the Council shall be final.
27. Private Rickshaw may be allowed to run for any purpose for which the same have been registered. In no case such private rickshaws shall be allowed to register for the purpose of carrying passangers. The Provisions for Bye-Laws Nos. 9, 13, 15, 16,17,18,19 and 20 are not applicable to such private Rickshaw as far as other provisions are concerned.

THE WAKCHING MUNICIPALITY

# **BYE - LAWS**

## **THE KAKCHING MUNICIPALITY** **(Sales of Meat )** **BYE-LAWS - 2001**

CHAPTER - (001)

024-1



1. Short title :- These bye-laws may be called the Kakching Municipality (Sales of cut meats) Bye-Laws, 2001.
2. Commencement : They shall come into force from the date of publication in the Manipur Gazette.
3. Extent : These Bye-laws shall extend to the whole of Municipal Area of Kakching.
4. Definition : In these Bye-laws, unless the context otherwise requires :
  - i) "Act means Manipur Municipalities Act, 1994.
  - ii) "Council" means Kakching Municipal Council.
  - iii) "Executive Officer" means Executive Officer of the Council.
  - iv) "Official Gazette" means the Manipur Gazette.
  - v) "Chair Person" means Chair Person of the Council.
  - vi) "State Government" means the Government of Manipur.
  - vii) "Meat Shop" means any premises used wholly or in part for the whole-sale or retail sale of raw meat for human consumption, either for cash or in credit.
5. Any person willing to use a shop for sale of meat shall take a licence from licencing Authority of the Council.
6. Before issue of licence the following conditions should be fulfilled :
  - ✓i) The shop should be properly walled.
  - ✓ii) The meat should be kept in a properly arranged place or box where flies or any pest cannot enter.
  - ✓iii) The premises of the meat shops shall not be used for residential proposes or an eating house.
  - ✓iv) All articles such as scale, knives etc. should be properly washed.
  - ✓v) No person shall be employed in any room who is not clearly clad or who is suffering from any infectious, contagious or loathsome disease or who has recently been attending upon any person suffering from such disease nor shall any person be permitted to enter any meat shop who is known to be suffering from any infectious, contagious or loathsome disease.
  - ✓vi) No animal should be killed in the premises of the shop or within a radius of 1(One) Km. of the Kakching Municipal Area. The meat should be brought by proper closed vessel or box from permitted slaughter House.
7. Licence for Meat shop :
  - ✓i) No meat shop shall be established or run or continued in the Kakching Municipal area except under a licence.
  - ii) The fee for such a licence shall be Rs. 500/-(Rupees Five hundred) only.
8. Renewal of licence : A licence granted under these Bye-laws shall be valid for one year only and it may be renewed on payment of the fee of Rs. 300/-(Rupees Three hundred)only on application in this behalf to the licencing Authority at least a fortnight before the expiry of the existing licence.
9. Control :
  - ✓i) Every meat shop shall be opened during business hour to the inspection of any officer authorised by the Council and keeper thereof shall be bound to comply with all reasonable directions and instructions issued by such officer consistent with the purpose of these Bye-laws.
  - ✓ii) The keeper of every shop meat shall affix a copy of these Bye-laws in a conspicuous part of the premises and shall be responsible for ensuing that the Bye-laws are observed.

10. Licencing Authority : Executive Officer, Kakching Municipal Council shall be the Licencing Authority.
11. Anyone aggrieved by an order of the Licencing Authority may within a fortnight of the order make an appeal to the chairperson and if he is not satisfied by an order of the chairperson he may within one month of such order make a second appeal to the council. And if he is not satisfied by an order of the Council, he may within one month of such order make an appeal to the State Government.

An appeal under this Bye-laws shall be made by way of a memorandum to be presented to the Executive officer, in case of a first appeal, who shall forward it to the chairperson after presentation of such appeal.

12. Revision : The District Magistrate, kakching/Thoubal District, or the Director, Municipal Administration Housing & Urban Development, Manipur may be his own motion or application made to him by the aggrieved party, revise any order made by the Licensing Authority, or by the Council in first Appeal.

Provided that no such revision shall be made or entertained after three months from the date of such order, or an appeal from the same order is made and pending or decided.

Provided further that if any revision is made and decided by one of the two revisional authorities, no further revision from the same order shall be entertained by the other.

13. Penalty:

- i) Any person who contravenes any provision of these Bye-laws shall be liable to a fine which may extend to Rs. 700/- (Rupees Seven hundred) only and when the offence is a continuing one to a daily fine not exceeding Rs. 50/- (Rupees Fifty) only during the continuance of the offence.
- ii) The licensing Authority shall be competent to impose the fine for the breach of any of these Bye-laws.
- iii) The licensing Authority before passing an order under Clause(ii) above, shall hold a summary enquiry. It shall record briefly the particulars of the breach alleged to have been committed, a substance of the evidence adduced, the decision of the Licensing Authority and the reason for the decision.
- iv) The Licensing Authority may suspend the licence at any time for sufficient reason to be recorded in writing or during the continuance of the summary enquiry.
- v) Every Licence granted under these Bye-laws may, on the recommendations of the Licensing Authority, be cancelled by the Council for the contravention of or failure to comply with any of the conditions of the Licence or any of the provisions of these Bye-laws.

Provided that before the cancellation of the licence, the licence shall be given a reasonable opportunity of showing cause against such cancellation.

14. Realisation of arrear fine : A fine not realised within 15(fifteen) days from the expiry of the period of appeal or from the date of disposal of the appeal, as the case may be shall be deemed to be in arrear and may be realised as an arrear of land revenue.

# **BYE - LAWS**



## **THE KAKCHING MUNICIPALITY** **(Burial and Burning Grounds and disposal of Corpses)** **BYE-LAWS - 2001**

05-E



1. Short title :- : These bye-laws may be called the Kakching Municipality (Burial and Burning Grounds and disposal of Corpses) Bye-Laws, 2001.
2. Commencement : It shall come into force on its publication in the official Gazette.
3. Extent : It shall extend to the Municipal Area of Kakching.
4. Definition :
  - i) "Act means Manipur Municipalities Act, 1994.
  - ii) "Council" means Kakching Municipal Council.
  - iii) "Director" means the Director of Medical, Health and Family Welfare Services, Government of Manipur.
  - iv) "Executive Officer" means Executive Officer of the Council.
  - v) "Official Gazette" means the Manipur Gazette.
  - vi) "Chair Person" means Chair Person of the Council.
  - vii) "State Government" means the Government of Manipur.
5. Except and otherwise provide in the Act, the Council may provide burial and burning ground at such a place as certified by the Director of the State Government to be a fit place for such burial and burning ground.

Provided that the burial and burning ground should be at least 150 fts. away from the public tank and 200 fts. from a house or School or Temple.

6. Permission for use of the burial and burning ground shall be taken from the chairperson or the Executive Officer or the health Officer of the Council or an Officer authorised by the chairperson in this behalf.
7. No monument shall be erected either on the burial and burning ground.

Provided that shall marks either in masonry work or stone or wood may be put to indicate the identify of the dead body on the burial ground.

8. Burial and burning of the dead body shall be done by the relative themselves.

Provided that the burial of the dead body of paupers or unclaimed dead bodies will be done by the Council.

9. The Council may dispose of a dead body in the burial and burning ground on payment of a fee of Rs. 100/- (Rupees One hundred) only, provided such fee is deposited in the Office of the Council before the disposal of the dead body.

Provided that no fee shall be made for the burial and burning of the paupers or unclaimed dead bodies or any dead body having no relatives, if prior approval of the chairperson or an Officer authorised by the council is obtained in this behalf.

**SALIENT FEATURES OF Kakehing Municipality Bye-Laws, - 2001**

**(1) (Parking Fees) Bye-Laws, - 2001**

To notify parking area/zone within the Municipality area and collect fees from motorised and non-motorised vehicles as parking fees. The State Govt. vehicles on duty are exempted from parking fees. The parking fee ranges from Re. 1—Rs. 5 for a period upto 3 hours, from Rs. 2—Rs. 7 upto 6 hrs and from Rs. 3—Rs. 12 upto 12 hrs. depending on the type of vehicle.

**(2) (Entry toll on vehicles and animals)**

To check vehicles and/or animals entering the Municipality area and to collect Levy payable as toll from the owner or driver or person-in-charge of vehicle and/or animals. Regular entry into the Municipality area has the facility of compounding the payment of the entry toll with rebates on yearly or half-yearly and monthly basis. The rate of entry toll ranges from Rs. 2—Rs. 10 in the case of loaded vehicles and Rs. 2—Rs. 5 for unloaded vehicles. For animals the range is Rs. 2—Rs. 10.

**(3) (Building) Bye-Laws, - 2001**

To rationalise the construction of all buildings and structures within the Municipality area and to render them safe for human life or health. Under these Bye-laws, no person shall erect, recreate or alter any building or structure on any land within the Municipality area without permission. Every person who intends to erect or recreate or alter a building shall give notice in writing in the prescribed form with fees ranging from Rs. 500 - Rs. 1000 for R.C.C. masonry and brick works and from Rs. 200- Rs. 500 for building other than R.C.C. masonry and brick works.

**(4) (Registration and Licensing of Shops)**

To register the shops for sale of services or goods, either for cash or credit but does not include hotels, restaurants, eating places, Potpham or Markets and Hawkings. Shop registration Certificate and Shop Licence are necessary for running business in the Municipality area under these Bye-laws. The Licence fee and Registration fee leviable range from Rs. 50 - Rs. 1000 and Rs. 100 — Rs. 2000 respectively depending on the worth of business.

**(5) (Regulation of Hotel, Boarding & Lodging houses, Rest houses, Restaurants, eating houses, Cafe, Refreshment rooms, Residential Clubs, etc.)**

To regulate the Hotels, boarding & lodging houses, rest houses, restaurants, eating houses, cafe, refreshment rooms, residential clubs, etc. within the Municipality limits in a proper and hygienic way to ensure safety to human life and health. It also ensures a sound management of the establishments. Depending on the class of business, the Licence fee ranges from Rs. 100—Rs. 1000 and the Registration fee from Rs. 250—Rs. 2000.

(6) (Regulation and granting of mobile stalls/vendor/Hawker

To regulate the business of the Mobile stalls/vendors/Hawkers within the limits of Municipality area and the issue of licence thereof. The Licence shall be effective for one calendar month and renewable from month to month. The monthly fees for licence shall be fixed within the range from Re. 1/-—Rs. 3/- per Sq. ft. and shall in no case exceed 4 ft. X 6 ft. in area.

(7) (Advertisement) Bye-Laws, - 2001

To regulate all types and classes of advertisement created, fixed or displayed at any place, area or structure in the Municipality area other than those published in the newspapers. No person shall exhibit, fix retain or display any advertisement in any lane, street, road, public park, place of public resort without a valid permission under these Bye-laws. The permission/licence so granted shall be issued on payment in advance of the taxes as fixed and for the period given.

(8) (Regulation of Market) Bye-Laws, - 2001

To regulate the use of any place within the Municipality limits where persons assemble for the sale and purchase of articles intended for food, drink, livestock or other merchandise. The ULB may provide places for use as Municipality market. No shop, room, stall, shed or plot in the Municipality market shall be allowed for use except by way of Licence. No person, a body of persons, group, firm or Society shall establish or run any private market without obtaining a valid licence. Rents/licence fees are payable as per the rates fixed under these Bye-laws.

(9) (Conduct of Business) Bye-Laws, - 2001

To frame a code for Conduct of Business in the meetings of the ULB's. Procedure for conducting business is provided under these Bye-laws.

## (Scavenging tax for trade and household refuse)

(10)

To regulate disposal of household refuse and trade refuse generated within the Municipality area. No person shall use any premises for trade, profession and calling in a Municipality area unless he/she pays scavenging tax. Every household of owner or occupier of a holding/Government building in a Municipality area shall pay scavenging tax for daily clearance of household refuse, rubbish or waste. The rate of scavenging tax for trade refuse ranges from Rs. 100—Rs. 800 and for household refuse from Rs. 50—Rs. 400 per annum.