

THE MAYANG IMPHAL MUNICIPALITY
“ BYE LAWS ”

THE MAYANG IMPHAL MUNICIPALITY

“ BYE LAWS ”

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Manipur Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 79 Imphal, Tuesday, May 15, 2001 (Vaisakha 25, 1923)

OFFICE OF THE MAYANG IMPHAL MUNICIPAL COUNCIL

NOTIFICATION

Mayang Imphal, the 14th May, 2001

No. 5/EO/MIMC/2001/1.—In exercise of the power conferred by clause (j) of Sub-Section (1) of Section 209 read with Section 78 and clause (m) of Sub-Section (1) of Section 75 of the Manipur Municipalities Act, 1994 (No. 42 of 1994), the Mayang Imphal Municipal Council hereby makes the following Bye-Laws and the same having been previously published under this Council Notification of even number dated 28-2-2001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under letter No. 2/91/2000-MAHUD dated 8-5-2001 as required under Sub-Section (1) and Sub-Section (2) of Section 211 of the said Act.

M. M. KABUI,
Executive Officer,
Mayang Imphal Municipal Council.

THE MAYANG IMPHAL MUNICIPALITY (REGULATION OF HOTELS) BYE-LAWS, 2001

1. (i) These bye-laws may be called the Mayang Imphal 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 appended to this bye-laws ;
- (d) "Schedule" means the Schedule appended to this bye-laws ;
- (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 of any confections, ice-cream or sweetmeats 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-tenmeat, residential club etc; to which the public are admitted, without Registration and a licence from the Council.

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 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 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 the Council 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 '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 withheld by the Council 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 licence correctly stated.

6. (1) The Council 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. mts. of floor area and 10 cubic meters 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 sewerred areas and sanitary previes with septic tank arrangements in non-sewerred 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 may be approved by the Executive Officer and no part thereof shall be constructed of inflammable materials.

(4) Every such premises shall contain suitable 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 exits 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 disinfected daily. The Council 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 furnaces 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 cleaning residual water and 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 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 dishwashers shall be provided as directed by the Council.
- (15) The furniture kept of 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 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 is such premises shall be tone washed at least 4 times in every year and the 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 articles 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 utensils, craked 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, out 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, efflusive, flies or other vermin.

- (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 spoon or other cutteries shall be used for serving them.
 - (iv) All papers or leaves used for wrapping an articles of food shall be clean and stored in a clean rack of box.
- (23) No article of food intended for human consumption shall be stored in such way as is likely to permit the absorption of noxious gases vapour, 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 changes 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 customer, servants employed in the manufacture, preparation or handling of any articles shall wear clean clothes.
- (27) The licensee shall forthwith report to the Council 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 may required; 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 lathsome, 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 premises except in such receptacles or places as provided for such purpose. The premises shall be provided with sufficient number of apitons shall be conveniently place any cleansed 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 pick-up loud-speaker arrangement, so as to avoid annoyance or discomfort to the owners or occupants 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 thereof.
- (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, rates, 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 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 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.
- (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 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 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 as resident therein and shall maintain a register showing therein the number and names of lodgers, the room occupied, the period of occupation and such other information as may from time to time be specified by the Council.
- (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 inspection team of the Council or any concerned authority.
- (44) A Board specifying the rates and charges for different items of food and lodging shall be prominently displayed in the premises.
- (45) A Board stating the purpose for which such premises 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.
- ✓ (47) The powers of the Council in respect of grant issue, renewal refusal or cancellation of licensee and all other powers and functions of the Council mentioned in these bye-laws of otherwise 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 duly authorised by the Executive Officer in this respect.
- ✓ (48) It shall be lawful for the Executive Officer or any Council employee/Officer authorised or empowered in this behalf by him/her or under any provision of the Act.
- (49) (a) To inspect the premises, articles or food or drink all utensils and furniture on the premises and to take samples of any articles of food or drink manufactured or kept for sale therein. Samples so taken 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 violating the bye-laws.

- (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 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 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, detained, destroy and/or depose 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 licensee have been suspended cancelled or not renewed.
- (f) To revoke the license granted under these bye-laws if he/she is satisfied that he 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 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 by an officer subordinate to the Executive Officer shall lie to the Executive Officer and against order passed or instruction 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 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 within additional fine which may extend to hundred rupees for every day during which 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 arrears and may be realised as an arrears of land revenue.

MAYANG IMPHAL MUNICIPAL COUNCIL

- Class-I** Where the business is run on a big scale with lodging accommodation or with separate rooms for Kitchen, Dining Hall, lodging accommodation. Rs. 500/- to Rs. 1000/- to 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. 250/-
Rs. 300/- 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 licence is required :

I declare that all information above are true to my knowledge and belief.

Dated

Applicant.

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.....
Manipur Municipalities (Regulation of Hotels, Boarding & Lodging, Rest Houses,
Restaurants, Eating Houses, Cafe, Refreshment rooms, Residential Clubs etc.)
Bye-laws 2000, this..... day..... 200..... 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 the use of..... (insert description of place)..... as a Hotel/Restaurant/Eating House/Boarding or Lodging/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, Mayang Imphal Municipal Council.

FORM "B" REGISTRATION CERTIFICATE

It is hereby certified that..... has been registered as..... Manipur Municipalities (Registration of Hotels, Boarding & Lodging, Rest Houses, Restaurants, Eating Houses, Cafe, Refreshment rooms, Residential Clubs etc.) and..... day..... the Registration No. is..... date.....

MANIPUR



GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No. 79 (A) Imphal, Tuesday, May 15, 2001 (Vaisakha 25, 1923)

OFFICE OF THE MAYANG IMPHAL MUNICIPAL COUNCIL

NOTIFICATION

Mayang Imphal, the 14th May, 2001

No. 5/EO/MIMC/2001/1.—In exercise of the power conferred by clause (1) of Sub-Section (1) of Section 209 read with Section 78 and clause (m) of Sub-Section (1) of Section 75 of the Manipur Municipalities Act, 1994 (No. 42 of 1994), the Mayang Imphal Municipal Council hereby makes the following Bye-Laws and the same having been previously published under this Council Notification of even number dated 28-2-2001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under letter No. 2/91/2000-MAHUD dated 8-5-2001 as required under Sub-Section (1) and Sub-Section (2) of Section 211 of the said Act.

M. M. KABUI,

Executive Officer,

Mayang Imphal Municipal Council.

THE MAYANG IMPHAL MUNICIPALITY

**(REGULATION GRANTING OF MOBILE STALL/VENDOR/HAWKER/
LICENCE) BYE-LAWS 2001**

1. (i) Short title extended and commencement:—(i) These bye-laws may be called "The Mayang Imphal Municipality (Regulation and granting of Mobile Stall/Vendor/Hawker/Licence) Bye-laws, 2001."
(ii) These bye-laws shall extend to the whole of Municipality 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 including any person using/ occupying and public road/street place for sale of goods/services;
- (iii) "Public road/street" means any road street, court alley passage or path way over which the public have a right of way, whether a thorough fare for not, and includes:
- the road way over any public bridge or cause way;
 - the footway attached to any such road, public bridge or cause-way; and
 - the drains attached to any such roads, public bridge or cause-way and the land, whether covered or not by any payment, 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 or not.

3. No itinerant vendor, or hawker, or any other person shall use or occupy public road or street or place in the Municipality area of 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/- or Rs. 3/- per sq. ft.

5. The licensing authority shall be the Executive Officer of the Council 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 a licence may granted shall be as follows:-

- the licensee shall not cause any nuisance or obstruction to any public road/street/place;
- he shall not expose for sale of any articles not included in the licence;
- the licensee shall not ring any bell or use any mechanical or other contrivance to direct to attention of the customers;
- the licensee shall observe the utmost cleanliness is selling articles;

- (e) the Executive Officer or any subordinate duly authorised by him in this behalf shall have the power to destroy any article exposed or offered for sale which in his opinion are unwholesome;
- (f) the licence shall be effective one month from the date of issue;
- (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 infection disease;
- (j) the Executive Officer may at any time revoke or cancel the licence if in his/her opinion; the licensee has infringed any of the conditions of the licence and in such a case the licensee shall 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 or Government purposes. The licensee will, if possible, be accommodated elsewhere but it will not be incumbent on the Executive Officer to do and the fee already paid will not be refused.
- (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.

FORM "A"
MAYANG IMPHAL MUNICIPAL COUNCIL
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 licensee :
(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,
Mayang Imphal 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.

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 Mayang Imphal Municipal Council 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:

Signature of the applicant

Place:

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

Manipur



Gazette

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Mayang Imphal, the 14th May, 2001

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M. M. KABUI,

Executive Officer,

Mayang Imphal Municipal Council.

THE MAYANG IMPHAL MUNICIPALITY
(ADVERTISEMENT) BYE-LAWS, 2001

1. Short title and commencement :

(i) These bye-laws may be called the Mayang Imphal 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 Municipality 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, fixing 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 and advertisement in any land, street, road, public resort of entertainment, vehicle, public or private place, public or private building, wall hoarding frame, structure tree, lamp post or telephone post/pole or any structure or area visible from any public place or road without a valid permission obtained from the Council under these bye-laws.
4. For the purpose of granting permission under these bye-laws the Council may :—
- (a) Classify the advertisement into various categories, types and classes of advertisement.
 - (b) Prohibit partially or completely any or all types, classes and categories of advertisement 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 levy fees in respect of various areas, categories, types and classes of advertisements from time to time in schedule appended to the bye-laws ;
 - (e) Permit on licence to be obtained under these bye-laws persons or agencies to undertake production and display of advertisement on behalf of others.
5. (1) Every person desiring to erect, exhibit, fix, retain or display of 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 of 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 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 to granted shall be issued on payment in advance of taxes as fixed and period for grant of the permission.
- (4) The Council may also require, all copies of the advertisement to be affixed with seal of the Council in token of the tax having been collected.
- (5) The production of the copies of the advertisement of the purpose of affixing the seal of the Council or the incorporation of the number of permission and date shall not be issued 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 other 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, erected, fixed, exhibited, retained or displayed in violation of the bye-laws framed or orders/instruction issued by the Council in this regard.
- (2) No advertisement shall be allowed in prohibited areas as declared by the Council.
- (3) No objection certificate shall be produced from the concerned authorities in case of advertisement intended to be fixed, erected or displayed on lamp posts or telephone post.
- (4) The mark sign or the seal or of the Council 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 15 m. 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 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, or painter, 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 whenever so required.

- (7) The permission once granted may be withdrawn at any time by the Council 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 under these bye-laws.
- (2) License for production and display of advertisement on behalf of the other may be obtained by submitting and application in the prescribed form to the Council along with the necessary registration fee as fixed from to time.
- (3) The license may be granted or refused at the discretion of the Council without assigning any reason thereof.
8. (1) The licensee shall be subject to license fee payable in advance at the time of issue of license and subsequently before the expiry of 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 from to time.
- (2) The license shall be valid for three years and expire automatically unless renewed and may 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 Council 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 license advertiser shall before displaying or causing the advertisement satisfy himself that the permission of the Council has been obtained and tax due thereof has been paid.
- (6) A license 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.
9. The power of the grant, refusal, renewal, cancellation 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 the Executive Officer in this behalf.
10. An appeal against an order passed on instruction given by the Executive Officer shall lie to the Chairperson of the Council. 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 penalised 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 to discontinue such breach.

SCHEDULE

TAX ON ADVERTISEMENT BYE-LAWS, 2001

1. (i) In respect of non-illuminated advertisement on cloth hug 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 a street of above 6 m Rs. 30/- per calendar month or less than Calendar month.

(ii) In respect of advertisement of 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 1 sq. 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/-
(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:

	upto a week	per month	per year
(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: More exhibition of the name of owner of the vehicle lorry or car or any conveyance is not an advertisement liable to tax.

- | | upto a week | per month | per year |
|--|------------------|------------------|-----------|
| (iv) Advertisement on Board carried by the stand-wich boardmen — | Rs. 3/- to 6/- | Rs. 10/- to 15/- | Rs. 90/- |
| (v) Illuminated advertisement and sky sign at the rate within the following range: | | | |
| | upto a week | per month | per year |
| (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 illuminated advertisement of sky sign the greatest length and greatest breadth will be taken into consideration at the rates within the following range:

- | | upto a week | per month | per year |
|--|------------------|------------------|-----------|
| (vi) Advertisement exhibition on screens 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.

MANIPUR



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 79 (C) Imphal, Tuesday, May 15, 2001 (Vaisakha 25, 1923)

OFFICE OF THE MAYANG IMPHAL MUNICIPAL COUNCIL

NOTIFICATION

Mayang Imphal, the 14th May, 2001

No. 5/EO/MIMC/2001/1.—In exercise of the power conferred by clause (1) of Sub-Section (1) of Section 209 read with Section 78 and clause (m) of Sub-Section (1) of Section 75 of the Manipur Municipalities Act, 1994 (No. 42 of 1994), the Mayang Imphal Municipal Council hereby makes the following Bye-Laws and the same having been previously published under this Council Notification of even number dated 28-2-2001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under letter No. 2/91/2000-MAHUD dated 8-5-2001 as required under Sub-Section (1) and Sub-Section (2) of Section 211 of the said Act.

M. M. KABUI,

Executive Officer,

Mayang Imphal Municipal Council.

THE MAYANG IMPHAL MUNICIPALITY
(SCAVENGING TAX FOR TRADES AND HOUSEHOLD AND REFUSE)
BYE-LAWS, 2001

1. Short title, extended and commencement—
 - (i) These Bye laws may be called the Mayang Imphal Municipality (Scavenging tax for trade and household and 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) 'Households' means the occupants of a house or building if regarded as on unit;
 - (iii) 'Refuse' means the waste or any items for materials rejected as worthless and rubbish as defined under section 2 (51) to the Act;
 - (iv) 'Scavenging Tax' means the tax mentioned under section 75 (1) (e) 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 for sweeping collection and disposal of the 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 for clearance of household refuse, rubbish or waste at the rate specified in the schedule.
4. (i) The list of trades, professions and calling 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 trade 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 for its final disposal.
6. The Council 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 before the commencement of the month of August of the assessment year.
- (iv) A person, liable to pay tax under the 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 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(f), 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 along with penalty a further penalty not exceeding Rupees ten for each day of continuing delay after written notice 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 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 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 Assessing Officer for the respective occupants,

11. If any holding/building is occupied by more than one occupier or tenant, the Council 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 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 waste under such terms and conditions as may be fixed by the Council 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 of enforcement.

(ii) The assessments of tax for the remaining part to 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

1. Association
2. Auctioneer
3. Authorised Agent (Except residential office)
4. Auto park
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 & Forwading Agent
16. Clinic
17. Dairy & Cattle-shed
18. Dentist
19. Decorator
20. Depot Owner
21. Diesinker
22. Diesel filling Station
23. Distributor
24. Dyer
25. Engraver

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| 26. Expoter | 27. Factory | 28. Film Distributor | 29. Film Studio | 30. Flour Mill | 31- Freight Broker | 32. Godown Owner | 33. Health Rest | 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. Loading House | 45. Launder | 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. Place of Public Entertainment/Resort | 63. Photo processing | 64. Poultry | 65. Press House | 66. Printer |
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- 67. Restaurant
- 68. Detail Trader
- 69. Rice Mill
- 70. Rickshaw Manufacturing
- 71. Sanatorium
- 72. Saw-Mill
- 73. Screw House
- 74. Shop Keeper
- 75. Slaughter House
- 76. Shoe Factory

26. Importer
 27. Factory
 28. Film Distributor
 29. Film Studio
 30. Flour Mill
 31. Rickshaw
 32. Cotton Owner
 33. Health House
 34. Slaughter House
 35. Slaughter House
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Manipur



Gazette

EXTRAORDINARY
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NOTIFICATION

Mayang Imphal; the 14th May, 2001

No. 5/EO/MIMC/2001/1.—In exercise of the power conferred by clause (i) of Sub-Section (1) of Section 209 read with Section 78 and clause (m) of Sub-Section (1) of Section 75 of the Manipur Municipalities Act, 1994 (No. 42 of 1994), the Mayang Imphal Municipal Council hereby makes the following Bye-Laws and the same having been previously published under this Council Notification of even number dated 28-2-2001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under letter No. 2/91/2000-MAHUD dated 8-5-2001 as required under Sub-Section (1) and Sub-Section (2) of Section 211 of the said Act.

M. M. KABUI,

Executive Officer,

Mayang Imphal Municipal Council.

THE MAYANG IMPHAL MUNICIPALITY
(REGULATION OF MARKET) BYE-LAWS, 2001

1. Short title and commencement:—

- (i) These Bye-laws may be called the Mayang Imphal 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 purpose of these bye-laws unless there is anything repugnant in the subject or context.

- (i) 'Act' means the Manipur Municipality 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 belonging to or maintained by the Council.
- (iv) 'Private Market' means a market not belonging to or maintained by the Council.
- (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.
- (viii) 'Tenant' means a person, firm or association with an agreement in written has been executed by the Council in respect of rooms, stalls in a Municipality Market.

MUNICIPALITY MARKET

- 3. (i) 'The Council may provide places for use as Municipality Market'.
 - (ii) No shop, room, stall, shed, pan stand or plot in a Municipality Market shall be allowed for use except for use except by way of license 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 under these bye-laws.
4. The Council may levy any one or more following rents/fees at such rate as provided in the Schedule appended to this bye-laws.

FARMING OUT OF MUNICIPAL MARKET

- 5. The Council 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 application & draw of lot or any other manner decided by the Council 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 from time to time to the Executive Officer not later than 30 days before the date which the licence applied for is to be commenced or such items as notified by the Council.
- (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 Form A to the Executive Officer at least 30 days prior to the expiry of the licence.

7. Condition of grant of license :

- (1) Every license granted under these bye-laws shall be issued subject to the payment of licence fees as prescribed in this schedule. Such license 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 any of the provisions of these bye-laws or of the terms and conditions of the license.
- (5) No tenant/license shall occupy or carry on business in the market without payment of the fee at such rates in specified in the schedule.
- (6) No person shall occupy or continue to occupy any shop, stall, shed plot or any part thereof in Municipal Market after completion of a normal term not exceeding a financial year without renewal of the license 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.
- (7) 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 license or his/her legal agent or attorney or successor shall have a right to claim renewal of the license as a matter of perpetual succession and the Council shall be competent to refuse renewal of the agreement in such cases, if it considered it so necessary.
- (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.
- (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.
- (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 substitute shall register the name of such person with the Council. Such tenant/licensee shall forthwith cease to employ at such shop, stand, or other any person whose employment in that capacity may be prohibited in writing by the Council.
- (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 removing of any shop, stall, shed or plot in his/her possession or otherwise.
- (14) No tenant/licensee shall remove or dismantle any Municipal property or any way cause loss or damage to Municipal property in a Municipal Market.
8. Where a Municipality Market is framed out and the right to collect tools, rent or fees is sold either in public auction or by inviting tender and a lessee is appointed under such terms and conditions as may 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 tool, rent or fees any licensee carrying or business within the Municipality Market and shall issue prescribed receipts against payment of such tool, fees or rents.
- (b) The lessee shall not allow licensee to occupy drain, interior path, open spaces within the Municipal Market or allow to act in any 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-authorised construction, extension or repair of any shop, stall or plot in a Municipality Market.

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

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

9. 'Private Market'

(i) No persons, a body of person, group or society shall establish or run any private market without obtaining a valid license from the Council for this purpose.

(ii) Application for granting license for private market shall be made by the owner of the place or his/her dully authorised agent or attorney at least 45 days before such place in intended to be used as a market to the Executive Officer.

(iii) License 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 license for a private market be granted, renewed, refused or withheld subject to such regulations as to the sanitation inspection and to such conditions as sanitation drainage, water supply, width of path and ways and measures to be used and rents and fees to be changed in such market as fixed by the Council from time to time.

(ii) The Executive Officer shall cause a notice to 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 this bye-laws shall be made in prescribed form to the Executive Officer.

(ii) Application for grant of licenses shall be made in the prescribed form to the Executive Officer latest by 30th November of every year failing which the license shall be renewed and may be liable to cancellation.

(iii) The renewal of licenses may be refused or withhold by the Council without assigning any reason thereof.

- (iv) Provided that the licensing Authority shall not refused or withheld renewal of licenses 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 withholding renewal of licenses shall be at discretion of the Council 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 withhold or refuse 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 article belonging to him/her in the said market may be confiscated by the Council.

13. Power to grant, refuse, renew and cancel licenses.

- (i) All powers of the Council 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-law shall be exercised by the Executive 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 shop, 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 bye-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/license 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 stall 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 in the market except as provided under these bye-laws and shall in no way obstruct or put/hurdle on free movement or people visiting the market.

- (4) No person shall keep or expose sell fish or meat other than on raised paved platforms and 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 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 the 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 to creation or nuisance and breaking the orderly stake of affairs in the market.
- (10) Every tenant/licenses 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 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/or shed in a market shall obtain electric connection for his/her shop, stall and/or shed directly except under such terms and conditions taking as may be prescribed.
- (13) No person shall spit in any avenue or passage in a market 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 market 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 customer 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 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 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 of refusing to sell goods to any person offering the market price of 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 license for the purpose and payment of the prescribed tolls or fees the Council or the lessee of the Council in case in Municipal Market is framed 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 in 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 there to for any longer time than shall be reasonable necessary for the loading 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 missionary 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 and repair and there shall be provisions or 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 premises shall be limewashed to the satisfaction of the Council 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 tenant/licence in occupations of shop, stall and/or shed in a Municipal Market shall be liable for compensation to the Council for any wilful and negligent action causing loss or damage to 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 from furthering or carrying on any trade or business in such market or occupying any shop, stall, stand, shed or other place cancel the human and terminate any lessee 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 in respect of grant, issue, renewal, refusal, cancellation, withholding of a licence of any other power or function necessary or expedient for the purpose 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 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 offensive 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 in the matter.

- (f) To revoke the license granted to a person under these Bye-laws if he/she is satisfied that it has been secured by the person through misrepresentation of fraud or if any of the instructions have not been complied with or the person has been convicted for violation of any provisions of the act of 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 notice.

- (g) To evict by use of force any person from the market whose license has expired or has not been renewed or has been cancelled refused or withheld and has not vacated the shop room, stall, shed, stand, pan plot occupied by 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 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 further appeal shall be allowed.
18. In the case of shops, hotels, eating houses, etc. estimated in Municipality/private markets of the Council where the Manipur Municipalities (Regulation and licensing of shops) bye-laws and Manipur Municipalities (Regulation of Hotels, Boarding and lodging houses, Rest houses, Restaurent, Eating houses, Cafe, Refreshment rooms, Residential Clubs etc.) bye-laws are enforced the provisions of those bye-laws mutandis mutandis shall apply to such shop, hotel, eating houses, etc.

PENALTY

19. Whoever commits a breach of any bye-laws or any other conditions or the licence and agreement in an 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 everyday during which such contravention continents 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 be realised as an arrears of land revenue.

MAYANG IMPHAL MUNICIPAL COUNCIL RATE OF RENTS/FEEs WHICH A COUNCIL MAY FIX FROM TIME TO TIME AS IT MAY DEEM FIT WITHIN THE RANGE AS SPECIFIED BELOW

- (a) Rent for the use of:-
- (i) shop, room, stall etc. - Rs. 2.50 to 5.00 per sq. m. p. m.
- (ii) shed, pan, stored plot etc. - Rs. 1/- to 2/- -do-
- (b) License fee for use of or the right to expose good for sale,
- (i) (the same schedule of shop licence fee may be adopted for shop etc.)
- (ii) For shed, pan, 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 Re. 1/-

(d) License fees for:-

(i) brokers commissioned agent - Rs. 100/- to 500 annually

(ii) Wigmir porter/Coolie etc. - Rs. 50/- to 100 - do-

NOTICE

Whose name is printed in the list of names of persons who are entitled to the right of franchise and who are entitled to the right of franchise in the Municipality of Imphal.

(a) The names of the persons who are entitled to the right of franchise in the Municipality of Imphal are as follows:-
(b) The names of the persons who are entitled to the right of franchise in the Municipality of Imphal are as follows:-

(c) The names of the persons who are entitled to the right of franchise in the Municipality of Imphal are as follows:-

IMPHAL MUNICIPAL COUNCIL
OFFICE OF THE MUNICIPAL ENGINEER
IMPHAL

(i) The names of the persons who are entitled to the right of franchise in the Municipality of Imphal are as follows:-
(ii) The names of the persons who are entitled to the right of franchise in the Municipality of Imphal are as follows:-

(c) The names of the persons who are entitled to the right of franchise in the Municipality of Imphal are as follows:-



MANIPUR



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 79(F) Imphal, Tuesday, May 15, 2001 (Vaisakha 25, 1923)

OFFICE OF THE MAYANG IMPHAL MUNICIPAL COUNCIL

NOTIFICATION

Mayang Imphal, the 14th May, 2001

No. 5/EO/MIMC/2001/1.—In exercise of the power conferred by clause (i) of Sub-Section (1) of Section 209 read with Section 78 and clause (m) of Sub-Section (1) of Section 75 of the Manipur Municipalities Act, 1994 (No. 42 of 1994), the Mayang Imphal Municipal Council hereby makes the following Bye-Laws and the same having been previously published under this Council Notification of even number dated 28-2-2001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under letter No. 2/91/2000-MAHUD dated 8-5-2001 as required under Sub-Section (1) and Sub-Section (2) of Section 211 of the said Act.

M.M. KABUI,

Executive Officer,

Mayang Imphal Municipalities Council.

THE MAYANG IMPHAL MUNICIPALITY
(BUILDINGS) BYE-LAWS, 2001.

1. Short title, extended and commencement :

(1) These bye-laws may be called the Mayang Imphal Municipalities Building Bye-laws, 2001.

(2) These bye-laws shall extend to the whole 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 structure 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 around area covered by the building immediately above plight level, but does not include the spaces covered by ;
- (a) garden rakes, wall structures, part nursery, water pool, swimming pool (if uncovered) platform round a tree, tank, fountain bench, chaburs with open top and unenclosed on side by walls and the like ;
- (b) drainage, culvert, conduit, catch-pit, bally-pit chamber gutter and like ; and
- (c) compound wall, gate, unstoried 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 or 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 case of gables facing the road, the mid-point between in the cave 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 of human habitation and exclude garages, stables and other out houses 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 under these bye-laws.
4. Every person who intends to erect or reerect or alter a building shall give notice in writing in the Council/Panchayat 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 trapper. One set of such plans shall be retained in the office of the Council/Panchayat 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, 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, Manipur shall be final.

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

(1) Site Plan : The site plan sent with an application for permit shall be drawn to a scale of not less than 8 m. to 1 c.m. (64 ft. to 1 inch) and shall show.

(a) the boundaries of the site plan and of any contiguous to the owner thereof;

(b) the position of the site relating to neighbouring street;

(c) the name of the street in which the building is proposed to be situated;

(d) all existing buildings standing on the site;

(e) the position of the building and of all other buildings, if any, which the applicant intend in (a) in relation to;

(i) the boundaries of the site, and ease 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 ;

(f) 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);

(g) the position and the number of storeys of all of buildings within 12 m. (or 40 ft.) of the site;

(h) the position, forms an dimensions of kitchens, staircases and other appendages of the building;

(i) free passage or way in front of the buildings;

(j) space to be left about the building to secure a free circulation air, admission of light and access for scavenging purposes;

(k) the width of the street, if any front of the building and if any side or near of the building;

(l) north point;

(m) the width in front, side and near yard, existing road the lamp and Telephone posts; and

(n) such other particulars as may be prescribed by the Council/Panchayat

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

- (a) Floor plans or all floors together with the recovered area, accessory buildings, and basement plan, such drawing 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 footing, thickness of the 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 sections 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 c.m. (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 proceeding 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, address and licence Nos. and the certificate in the following form.

I am qualified Architect/Engineer. I do hereby certify that
Smt. _____ on plot No. _____ have prepared these plans for
_____ belonging to Shri/
Panchayat and I hold myself personally satisfied myself
that it conforms to the bye-laws laid down the Municipal Council/Nagar
Panchayat 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 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 forms:—

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 slendereneer 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 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 Architectural Department in a responsible capacity;
- (c) The minimum qualifications for a qualified Engineer shall be as follows:
- (i) Corporate Membership (Civil) of the Institute of Engineer's (India);
 - (ii) Degree or Diploma in 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 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 affected.
- (ii) The Council may arrange from time to time, during the course of construction of 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 in attached with notice:—

- (a) For RCC Mansory & Brick works Rs. 200 to Rs. 500 works.
 (b) For building other than RCC Mansory & brick works Rs. 100 to 200.

(ii) In the event of a building permit not issued, the less 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 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 taken of the approval.

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

(iii) One the plan has been scrutinised the objection have been pointed out, the owner who has been given notice shall modify the plan to comply with the objection raised and re-submit it. The Council shall scrutinised 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 contravene as may bye-law or is adjudged structurally unsound, the person shall be deemed liable under these bye-laws.

10. No buildin ghereafter 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 buildings 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 or any reason of inadequate 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 damage 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 of portion thereof to the unsafe as defined under bye-law 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 of 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 in 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 forthwith or with such notice as may be possible promptly cause such building structure or portion thereof to be rendered safe or removed for the 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-erect or commence 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 contrivance 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 the 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/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. Officer not liable for damages :— Any officer of the Council action in good faith and without notice shall be free from liability for act done in the performance of the official duties under any provisions of these bye-laws.

CHAPTER—III

REQUIREMENTS

23. The maximum covered area of the 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 facilities for the 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 more than 60% of the total area.

24. (i) 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.

(ii) 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.
Combine 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 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 rooms shall have a clear height of 11'-9" measured from the floor finished to the ceiling.

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

31. No building shall be more than five storeys in height of 80, whichever is less and only a barasti 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 wall so 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 :
- Central part of the abutting street.
 - Footpath abutting the plot.
 - 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.
- 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.
 - 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 treads at 3 point 10 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.
 - 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.
 - the staircase shall be lighted on vertically from an open space of not less than 7'-3" in width. The lighting and ventilating area for such staircase shall not less than 10 sq. fit. per floor height.
39. Every wall and pillar of the building shall be provided with a damp proof course as either.
- 1 part cement, 2 coars sand and 5% puddle or some similar water proofing materials or
 - bitumen sheeting of
 - 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 length wise and horizontally and shall be cleared of all loose mortar and other material.

The thick work of masonry shall be throughly damp before laying. Joints in damp proof course shall be avoided and if absolutely essential the end of the 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 several latrine with a septic tank shall have to be constructed which shall be covered into a connected to a storm water drain.

All houses having quarters for servant 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 Chief Town Planner, Government of Manipur.

The design of shops shall confirm with Chief Town Planner, Government of Manipur.

ANNEXUR-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/execution of work in House No. _____ Plot No. _____ Block No. _____ sanction has refused on _____ on the following grounds :-

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

Your faithfully,

Executive Officer,
Mayang Imphal Municipal Council.

7. Mayang Imphal Municipal Council will stand indemnified and kept harmless from all proceeding in court and before other authorities of all expenses/loanees 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 windows 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 sunning 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,
Mayang Imphal Municipal Council.

MANIPUR



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 79(G) Imphal, Tuesday, May 15, 2001 (Vaisakha 25, 1923)

OFFICE OF THE MAYANG IMPHAL MUNICIPAL COUNCIL

NOTIFICATION

Mayang Imphal, the 14th May, 2001

No. 5/EO/MIMC/2001/1.—In exercise of the power conferred by clause (i) of Sub-Section (1) of Section 209 read with Section 78 and clause (m) of Sub-Section (1) of Section 75 of the Manipur Municipalities Act, 1994 (No. 42 of 1994), the Mayang Imphal Municipal Council hereby makes the following By-Laws and the same having been previously published under this Council Notification of even number dated 28-2-2001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under letter No. 2/91/2000-MAHUD dated 8-5-2001 as required under Sub-Section (1) and Sub-Section (2) of Section 211 of the said Act.

M.M. KABUI,

Executive Officer,

Mayang Imphal Municipal Council.

THE MAYANG IMPHAL MUNICIPALITY

(REGISTRATION AND LICENSING OF SHOPS)

BYE-LAWS 2001

1. (i) This bye-law may be called the Mayang Imphal Municipality (Registration and Licensing 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.

(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) "Potham" means selling or vendor 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 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;

- (i) "Shop Registration No." 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 License" means the license issued to a shop keeper under these bye-laws for the purpose of keeping and running his shop;

- (l) "Shop Registration and Licence Book" maintained by the Council/Nagar Panchayat where in the registration and license 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 news or other information but does not include the rendering of any service free of charge or under a contract of personal services;

- (n) Wards and expression used in these bye-laws and not defined but defined in the Act shall have same meaning respectively assigned to them in this 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 Panchayat, under these bye-laws.

- (ii) A shop keeper may get his/her or establishment registered by making an application in Form-I 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.

(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 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 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.

(c) A shop keeper's licence shall be in Form-3 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 renewal 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 issued and renew licences under these bye-laws.

(2) All powers (sic) of the Council in respect of registration and grant, issue, renewed, refusal or cancellation of a licence and all other powers and functions of the Council under these bye-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, withheld or completely revoke the licence if he/she is satisfied that it has secured by the licence or registration through misrepresentation or fraud or if any of the instruction have not been complied with ... or the licences has been convicted for contravention of any 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 licences to show cause before making any such order of cancellation or revocation;

- (c) to issue the licence such direction as he/she may deem necessary for securing 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, 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 approval of the Council divided 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 expeditious implementation, or/and interpretation, of these bye-laws.
10. (1) If any person violates any of the provision 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 fine as prescribed in the Schedule for each day of such violation after conviction.
- (2) All fees and fine payable these bye-laws 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. 1 lac. but not exceeding Rs. 5 lac.	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) Above Rs. 1 lac 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. (i) Penalty

(a) Violation of any provision

Rs. 200/-

(b) Continuance of violation for each day

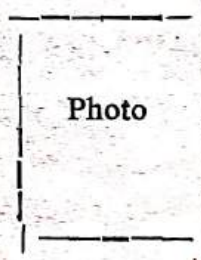
Rs. 100/-

FORM-I

FORM OF APPLICATION FOR SHOP REGISTRATION/LICENCE UNDER BYE-LAW No. 3(1) OF MAYANG IMPHAL MUNICIPALITY REGISTRATION AND LICENSING OF SHOPS BYE-LAWS

2001

- 1. Application'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. :
- 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 incharge, 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 thereunder is punishable.

Date :

Place :

Signature of the applicant

FORM-2

REGISTRATION CERTIFICATE

It is hereby certify that has been registered as under the Manipur Municipalities (Registration * Licensing of Shops) Bye-laws, 1988, this day of 200..... and the Registration No. is dated

SEAL



Signature of the Registering Officer

FORM-3

FORM OF SHOP LICENCE

Under Bye-law of No. 4(c) of Mayang Imphal Municipality (Registration and Licensing of shop) Bye-laws, 2001 Licence is hereby granted to Shri/Smt. S/o,W/o. of to turn his/her business dealt in in the premises described below under shop Registration No. dated subject to the Manipur Municipality Act, 1994 and the Bye-laws made thereunder.

The Licence shall remain in force till the day of 200.. dated 200.....

Signature of Licensing Authority

DESCRIPTION OF THE LICENCED SHOP

Type of structure of shop :

- Schedule : (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 provision of Manipur Municipalities Act, 1994 of the framed thereunder.

Date of renewal Date of expiry Signature of the Officer of the Licensing Authority
 Seal

FORM-4

FORM OF APPLICATION FOR SHOP LICENCE RENEWAL

Under Bye-laws No. 4(c) of Manipur Municipality/Nagar Panchayat (Registration and Licensing of shops Bye-laws) :-

1. Name of the 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,
 Municipal Council/Nagar Panchayat.

Printed at the Directorate of Ptg. & Sty., Govt. of Manipur/320-C/15-5-2001.

MANIPUR



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 79(E) Imphal, Tuesday, May 15, 2001 (Vaisakha 25, 1923)

OFFICE OF THE MAYANG IMPHAL MUNICIPAL COUNCIL
NOTIFICATION

Mayang Imphal, the 14th May, 2001

No. 5/EO/MIMC/2001/1.—In exercise of the power conferred by clause (i) of Sub-Section (1) of Section 209 read with Section 78 and clause (m) of Sub-Section (1) of Section 75 of the Manipur Municipalities Act, 1994 (No. 43 of 1994), the Mayang Imphal Municipal Council hereby makes the following Bye-Laws and the same having been previously published under this Council Notification of even number dated 28-2-2001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under letter No. 2/91/2000-MAHUD dated 8-5-2001 as required under Sub-Section (1) and Sub-Section (2) of Section 211 of the said Act.

M. M. KABUI,
Executive Officer,
Mayang Imphal Municipal Council.

THE MAYANG IMPHAL MUNICIPALITY
(ENTRY TOLL ON VEHICLES AND ANIMALS)
BYE-LAWS, 2001

1. (1) These bye-laws may be called the Mayang Imphal 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 the 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 include 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 the Schedule appended to this bye-law.
3. Every vehicle and/or animal entering the Municipality area shall be levied and payable an entry toll at the rate specified in the 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 conducted 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 animals as the case may be for any additional entry 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 purpose and not used or intended to be used for profit.
- (b) Vehicle and/or animal belonging to the Council 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, on 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 term.
- (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 the yearly amount and $\frac{1}{12}$ ((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 $\frac{1}{2}$ yearly payment and
- (c) 5% rebate in respect of monthly payment.

iii) The toll shall be payable to the Council Office instead of at the Check posts in case of realisation of the tolls by the Council 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 or agent, as the case may be, in respect of all compound payment of tolls.

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

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 in Schedule C and D respectively.

- (i) Every Check post shall maintain an Inspection book in the form given in Schedule E. The Executive Officer or other officer authorised by the Executive Officer shall inspect the Check post periodically; and
- ii) the Check posts shall be visited and inspected by Executive Officer or any other officer/employee of the Council duly authorised by the Executive Officer in this behalf and note their observations/findings in the inspection Books.

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

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

The Council 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 tolls.

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 the Council authorised or empowered by the Executive Officer in this behalf.

Whenever a dispute arises as to the liability of payment of toll, the aggrieved party shall pay the toll to authorised agent or the officer/employee in-charge of the Check post and may then perfect 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 under these bye-laws, may reasonably seek the assistance of an Officer on duty under section 107 (6) or the Act for the different of the duties under these bye-laws.
18. Any person coming in breach of any of these bye-laws shall in addition to the penalties imposed under the Act, to pay, a exceeding Rs. 10/- for every such breach and his vehicle and/or may be seized or detained by the Officer/Employee/Agent at the Ch

SCHEDULE "A"

(See bye-law 3)

MAYANG IMPHAL MUNICIPAL COUNCIL

Schedule of rate of entry toll on vehicle and animal

A-Vehicles :	Load
1. Each Heavy vehicle etc.	Rs. 10/-
2. Each light vehicle	Rs. 5/-
3. Other (including 2 wheelers)	Rs. 2/-
B-Animals :	
1. Each Elephant	Rs. 10/-
2. Each Buffalo	Rs. 7/-
3. Each Pony, Mule, Bull, Bullock, Cow, Donkey, either etc.	Rs. 5/-
4. Each Ass, Pig, Goat	Rs. 3/-
5. Each Calf of more than 6 months old	Rs. 3/-
6. Others	Rs. 2/-

SCHEDULE 'B'

(See bye-law 10)

MAYANG IMPHAL MUNICIPAL COUNCIL

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

Name of the 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
(i)		
(ii)		
(iii)		
2. Classification of animals		
(i)		
(ii)		
(iii)		
Grand total		
Date	—	—
		Signature of the Officer

SCHEDULE 'C'
(See bye-law 10)

MAYANG IMPHAL MUNICIPAL COUNCIL

(i) 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 vehicles		Toll on a/c of animals		Total Amount	
		No.	Amount	No.	Amount		
1		2	3	4	5	6	7

Grand Total

Date

Signature of inspecting Officer

SCHEDULE 'D'
(See bye-law 10)

MAYANG IMPHAL MUNICIPAL COUNCIL

(ii) Monthly abstract of weekly return on collection of toll on entry of vehicles and animals

For the month of to

Name of Check Post Receipt No. used	Shift	Toll on a/c of vehicles		Toll on a/c of animals		Total Amount	
		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'
[Sec bye-law 10 (i)]

MAYANG IMPHAL MUNICIPAL COUNCIL

Name of the Check post

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

SCHEDULE 'F'
(See bye-law 9)

MAYANG IMPHAL MUNICIPAL COUNCIL

Book No. Receipt No.
Received Rs. as toll entry of animal/light vehicle/heavy vehicle
(Loaded/unloaded)

Date

By order of
Mayang Imphal Municipal Council

Printed at the Directorate Ptg. & Sty. Govt. of Manipur/320-C/15-5-2001.



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 79(H) Imphal, Tuesday, May 15, 2001 (Vaisakha 25, 1923)

OFFICE OF THE MAYANG IMPHAL MUNICIPAL COUNCIL
NOTIFICATION

Mayang Imphal, the 14th May, 2001

No. 5/EO/MIMC/2001/1.—In exercise of the power conferred by clause (i) of Sub-Section (1) of Section 209 read with Section 78 and clause (m) of Sub-Section (1) of Section 75 of the Manipur Municipalities Act, 1994 (No. 42 of (1994), the Mayang Imphal Municipal Council hereby makes the following By-Laws and the same having been previously published under the Council Notification of even number dated 28-2-5001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under and Sub-Section (2) of Section 211 of the said Act.

M. M. KABUI,

Executive Officer,

Mayang Imphal Municipal Council.

**BYE-LAWS (FOR THE REGULATION OF CYCLE RICKSHAW) IN
MAYANG IMPHAL MUNICIPAL COUNCIL, 2001**

1. **Short title**— These bye-laws may be called "The Cycle Bye-Laws"
2. **Definition** :—
 - (i) "Chairperson" means the Chairperson of the Mayang Imphal Municipal Council,
 - (ii) "Council" means Mayang Imphal Municipal Council.
 - (iii) "Cycle Rickshaw" means a carriage of three wheeler vehicles with spring or other appliances action as springs, of a kind ordinarily used for conveyance of human beings or goods or both.
3. **Extent & Commencement** :—
 - (i) These Bye-Laws shall extend to the whole of the Mayang Imphal 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 Mayang Imphal Municipal Council in that behalf. The fee of such licence will be Rs. 45/-.
- (ii) Every one who desires to take the licence shall to the Municipal Office an application in the prescribed form available at the Municipal Office and duly filled in. He shall with the application furnish—
- (a) Two pass port size photographs—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 infection 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. 30/-.
5. "The Licensing Officer" means the Executive Officer of the Council or any officer authorised in this behalf by the Council. He shall sign on the licence in token of the issue of licence.
6. The Driver must carry with him while in service, the Licence granted to him.
7. The Licensing Officer shall be competent to cancel or 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 ply 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:
- (i) Registration fee Rs. 84/-
- (ii) Annual Renewal fee Rs. 60/-
- (b) The ownership of a Cycle Rickshaw may be transferred on transfer fee of Rs. 45/-
9. (i) No Driver of a Cycle Rickshaw shall realise hire charge for trip's is excess of those stated below:—
- (a) To any place not exceeding 1 km. Rs. 3.00
- (b) To any place exceeding 1 km. but not exceeding 2 km. Rs. 1.50 should be added
- (c) To any place exceeding 2 km. but not exceeding 3 km. Rs. 2.00 should be added
- (d) To any place exceeding 3 km. for every additional 1/2 km. Rs. 1.50 should be added
- (e) Contract rate from sun rise to sun set Rs. 50.00

- (f) Contract rate per hour Rs. 8.00
- (g) Any waiting as requested by the hire if the time is not more than 10 minutes no charge will be made.
- (ii) A list of the rate 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) to (g) in the above must be written at the owner's cost of the back of every Cycle Rickshaw. The size of each numerical figure of the registration number shall not be less than 15 c.m. in length.

10. The standard size of Rickshaw shall be as follows :—

- | | |
|---|-----------------|
| (a) Length | 8' = 244 c.m. |
| (b) Width over all | 3'9" = 114 c.m. |
| (c) Height of Rickshaw on wheel
excluding the over head shade (head) | 36' = 91 c.m. |
| (d) Width of seat | 2'8" = 81 c.m. |
| (e) Leg Room passengers | 1'9" = 53cm |

10(a). A New Cycle Rickshaw shall be registered only when it is certified that it is by bonafide Cycle Rickshaw building firm duly registered at the office of the Mayang Imphal Municipal Council for the purpose.

Note :—The registration of Cycle Rickshaw building firm at the office of the Mayang Imphal Municipal Council shall be done by the Executive Officer or any officer authorised by him under the following Terms and Conditions.

(1) The registration fee shall be Rs. 3,000/- which shall be valid for one year (365) days commencing from the date of Registration and shall be renewed at the end of the year in payment of a renewal fee of Rs. 1,000/- per year.

(2) The approved/licenced firm shall construct rickshaw as per standard size specified under Bye-Law 10 of the Cycle Rickshaw Bye-Laws "as amended from time to time".

(3) The approved/licence firms shall provide the necessary filling as required under Bye-Laws 12, 8, 14. "The Cycle Rickshaw Bye-Law" as amended from time to time.

(4) The approved/licenced firms shall marked a specified fram/chasis number in the Cycle-Rickshaw constructed by it and a certificate of construction quoting the said number shall be issue to the owner/purchaser of the rickshaw endoring also a copy to the Mayang Imphal Municipal Council.

(5) For breach of the above terms and conditions the registration granted to the firm shall be liable to cancel and the registration/renewal fee for the uncompleted period of the year shall be forfeited.

11. No Cycle Rickshaw carry a load in excess of the following;

- (a) Two adult persons, or
- (b) Two adult persons and one child below 12 years, or

- (c) Three Children below 12 years, or
 (d) One adult person, 2 children and luggage not exceeding 15kg., or
 (e) One adult person, and children below 12 years and luggage not exceeding 20 kg. or
 (f) One children below 12 years and luggage not exceeding 47 kg.,
 (g) A luggage not exceeding 94 kg., or
 (h) 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 tarpaulin hood to protect the passenger from sun or rains.
14. Each Cycle Rickshaw shall have a horn giving signals.
15. The Cycle Rickshaw shall not be reede in deal in with any passenger.
16. No obscene or objectionable works or songs shall be used or sung by the Driver while plying the rickshaw with passenger and no annoyance at any sort shall be given to the passenger.
17. No rickshaw Driver shall refuse service or flimsy grounds.
18. If any Drivers of anyCycle Rickshaw is aware that he has carried a passenger suffering from infectional disease he shall at once thoroughly disinfect the Cycle Rickshaw.
19. No Driver of any Cycle Rickshaw shall, while driving wear any clothes which is likely to impose his driving or, render it dangerous.
19. (a) No Rickshaw Driver while plying rickshaw shall cover his face either with cloths or by using other means so as to conceal his idntlty from the passenger.
20. Driver of any rickshaw shall not smoke while driving with passengers.
21. No Cycle Rickshaw which is not serviceable condition shall be allowed to ply.
- ✓ 22. Rickshaw fitness cetificates should accompany with him.
- ✓ 23. On demand by any police office in uniform or the licensing officer or any other officer/official authorised by the licensing officer the driver should produce all the necessary documents for the purpose checking.
24. No Rickshaw should be left or kept standitg in the Bazar area for a period longer than reasonably requivel for lifting/dropping passengers/for loading/unloading purposes.
- ✓ 25. The penalty for the infringement of any of the Bye-Law "other than bye-law 8" shall be:-
- (a) A Sub-bye-law namely:-
 The penalty for the infringement of Bye-law 8 shall be a fine not exceeding Rs. 500/-proceeded that any Cycle Rickshaw arrested/seized in connection with the infringement of bye-law 8 is not claimed for released within 7 (seven) days of its arrest/seizure shall be liable to public auction.

A fine not exceeding Rs. 20/- for the first offence and a fine not exceeding Rs. 50/- for the second subsequent offences.

(b) The fines imposed under bye-laws may be treated as a tax to the Council under the Assam Municipal Act, 1926.

(c) Except as otherwise specifically proceeded in these bye-laws it shall be competent to the licensing officer or an officer of the Council fully 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 may file an appeal against the order of the Chairperson.

If he is again aggrieved with the order of the Chairperson or he may file an appeal against it to the Board and the decision then arrived at in a meeting of the Council shall be final.

27. Private Rickshaw:—Private Rickshaws may be allowed to run for any purpose for which the same has been registered. In no case such private Rickshaws shall be allowed to register for the purpose of carrying passengers. The provisions for Bye-law No.9,13,15,16,17,18,19 and 20 are not applicable to such private Rickshaws as far as other provisions are concerned.

MANIPUR



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 79(I) Imphal, Tuesday, May 15, 2001 (Vaisakha 25, 1923)

OFFICE OF THE MAYANG IMPHAL MUNICIPAL COUNCIL
NOTIFICATION

Mayang Imphal, the 14th May, 2001

No. 5/EO/MIMC/2031/1:—In exercise of the power conferred by clause (1) of Sub-Section (1) of Section 200 read with Section 78 and clause (m) of Sub-Section 75 of the Manipur Municipalities Act, 1994 (No. 42 of 1994), the Mayang Imphal Municipalities Council hereby makes the following Bye-Law and the same having been previously published under this Council Notification of even number dated 28-2-2001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under letter No. 2/91/2000-MAHUD dated 8-5-2001 as required under Sub-Section (1) and Sub-Section (2) of Section 211 of the said Act.

M.M. KABUI,

Executive Officer,

Mayang Imphal Municipal Council.

THE MAYANG IMPHAL MUNICIPALITY
(PARKING FEES) BYE-LAWS 2001

Short title, extent and commencement :—

- (1) These bye-laws may be called the Mayang Imphal Municipal Council (Parking fees) Bye-laws, 2001.
- (2) They shall extend to the whole of Mayang Imphal Municipal area.
- (3) They shall come into force from the date of their publication in the official Gazette.

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

- (a) "Parking area" means any place within Municipality area declared or notified as the place for parking of motorised vehicles but the State Government under section 117 of the Motor Vehicle Act, 1988 and any place within the Municipality area 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, Tata Sumo, Van, Canter, Jeep, Auto Rickshaw, Thela, Bullock Cart, Horse Cart and Bicycle.
3. No vehicle shall part 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 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/hours) 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 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.
8. No vehicle shall park at any place within Municipality 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.	Class 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, Tata Sumo, Canter Tempo, Car & Jeep	Rs. 3/-	Rs. 5/-	Rs. 10/-	Rs. 1/- for every addl. hrs.
3.	Auto Rickshaw	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/-	Ks. 5/-	—do—
6.	Bicycles	Rs. 1/-	Rs. 2/-	Rs. 3/-	—do—

Printed at the Directorate Ptg. & Sty. Govt. of Manipur/320-C/15-5-2001.



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 79(J) Imphal, Tuesday, May 15, 2001 (Vaisakha 25, 1923)

OFFICE OF THE MAYANG IMPHAL MUNICIPAL COUNCIL

NOTIFICATION

Mayang Imphal, the 14th May, 2001

No. 5/EO/MIMC/2001/1.—In exercise of the power conferred by clause (i) of Sub-Section (1) of Section 209 read with Section 78 and clause (m) of Sub-Section (1) of Section 75 of the Manipur Municipalities Act, 1994 (No. 42 of 1994), the Mayang Imphal Municipal Council hereby makes the following Bye-Laws and the same having been previously published under this Council Notification of even number dated 28-2-2001 (Manipur Gazette Extraordinary No. 7 dated 5-4-2001) and having been confirmed by the Government under letter No. 2/91/2000-MAHUD dated 8-5-2001 as required under Sub-Section (1) and Sub-Section (2) of Section 211 of the said Act.

M.M. KABU,

Executive Officer,

Mayang Imphal Municipal Council.

THE MAYANG IMPHAL MUNICIPALITY
(CONDUCT OF BUSINESS) BYE-LAWS 2001

1. **Short Title :** (1) These bye-laws may be called **Bye-laws** for the conduct of business in a meeting of the Mayang Imphal Municipal Council.
- (2) It shall come into force immediately after publication in the Official Gazette.
2. **Definition :** (a) "Act" means the Manipur Municipality Act, 1994.
- (b) "Chairperson" means the Chairperson of the Council.
- (c) "Meeting" means meeting of the Council.
- (d) "Vice-Chairperson" means the Vice-Chairperson of the Council.

3. **Person who will call the meeting :** The Chairperson will be ordinarily the person who will call the meeting of the Council except as otherwise provided under the Act.

4. **Meeting of the Council/Panchayat :**

- (a) Special meeting of the Council shall be called as provided under section 29(1), 31(10), 49(1), 49(3), 49(4), 71(1) and 72(2) of the Act.
- (b) The Chairperson shall call an ordinary meeting of the Council in accordance with the decision of the Council under Section 49(1) of the Act. Besides, the Chairperson may call any ordinary meeting on his own motion if he thinks it necessary on any day/date of the month other than the meeting fixed by the Council under section 49(1) of the Act.
- (c) The meeting mentioned under section (24)(i) of the Act shall be deemed to be a special meeting of the purpose of these Bye-laws.

5. **Date, Time and Place of the meeting :**

- (a) Ordinary meeting of the Council shall be called at such time, date and place as decided by the Council under section 49(1) of the Act. If the date fixed by the Council falls on a holiday, general or restricted, the meeting shall be called on the next day which is not a Holiday, general or restricted when the Chairperson calls the meeting on his own notice he shall try to follow the time and place fixed by the Council as far as possible.
- (b) Special meeting of the Council shall be called in accordance with what is laid down under the Act and rules made thereunder. Time and place shall be determined reasonably if no specific mention is made in this behalf in the Act and rules thereunder, by the person calling the meeting.

6. (i) **Service of notice :-**

- (a) Every notice convening an ordinary meeting of the Council/Panchayat shall be sent to the registered address of each Councillor at least five days before the date of the meeting signed by the Executive Officer.
 - (b) The notice shall include only the recommendation of the standing committee, Special committee, such items considered fit to be included in the list of the business by the Chairperson/the Vice-Chairperson. And the recommendation of the committee are to be sent along with the Notice.
 - (c) No business other than stated in the Notice shall be transacted except with the consent of the majority of the Councillors present.
 - (d) If there be no business to be laid before the Council at any monthly meeting, the Chairperson shall, instead of calling the meeting, give notice of the fact to each Councillor three days before the date which is fixed for the monthly as laid down under section 49(2) of the Act.
- (ii) (a) Every notice convening a special meeting of the Council/Panchayat shall be sent to the registered address of each Councillor in accordance with what is laid down under the Act and rule made

thereunder, If no time with which the notice should be served is provided under the Act and rules made thereunder, the notice for such meeting shall be sent to the registered address of each Councillor at least five days before the date of meeting.

- (b) If it is a meeting convened under section 71 of the Act, the proposed budget, both annual or revised or only the revised if it is for consideration under section 71 (2) of the Act, should be sent along with the notice.
- (c) At a special meeting, only the business for which the meeting was called shall be considered.
 - (1) Note:—Notice of the meeting, only the business may be sent to representatives of the Government in the Council meeting, if any and Officer of the Council if necessary.
 - (2) Explanation: "Registered address" in the clause means the Address for the time being entered in the register of address of Councillors maintained in this behalf by the Secretary.

7. Adjourned meeting:-

- (a) If a meeting is adjourned for lack of quorum mentioned under section 52(2), action shall be taken by the Executive Officer in accordance with the provisions laid down under section 52 (2) of the Act.
- (b) If meeting is adjourned as a transaction of business is not finished neither fresh notice to the Councillors nor the action contemplated under clause 8 (a) of the Bye-laws in the above shall be taken. The declaration of date and time of such adjourned meeting by. The Chairperson then and there in the meeting shall be taken as if notice has been served unless the majority of Councillors present decide otherwise.
- (c) If a meeting is adjourned for reason other than those mentioned under (a) and (b) in the above, fresh notice shall be issued unless the majority of the Councillors decide otherwise.
- (d) The adjourned meeting shall not be competent to transact, any business save those which the original meeting left unfinished.

8. Chairman of meeting:-

Chairman of the meeting, both special and ordinary, shall be the Chairperson or in his absence the Vice-Chairperson of any of the Councillors as provided under section 50(1) of the Act, provided that any one of them is not precluded from presiding over the meeting under other provisions of Act.

9. Quorum of the meeting:-

- (a) Quorum of the meeting shall be one third of the total number of Councillors of the Council/Panchayat as provided under section 52 (2) of the Act,
- (b) There shall be a quorum at the time of passing any resolution, in a meeting if it is not an adjourned meeting mentioned under Bye-laws 8(a).

(c) If there is no quorum at the time of passing a resolution or any time the meeting shall be adjourned and at the adjourned meeting the concerned items be disposed of whether there is a quorum or not.

And, if there is any other item to be discussed after mentioned if the above, there shall be a quorum at the time of passing resolution/on the remaining items.

Manner of deciding questions :-

It shall be decided in accordance with what is laid down under section 51 of the Act, votes may be taken by show of hands or by division, and shall be taken by division if any councillor so desires.

The Chairman shall determine the method of vote by division.

11. (1) Conduct of business :-

(a) If any Councillor desires to elicit information or suggest action on a matter of public importance, he shall give in writing clearly the matter he wants to know or suggest to the Chairperson/the Vice-Chairperson at least five days before the scheduled meeting mentioned in by law 6(a) of these bye-laws.

(b) If there is such question from any Councillor, the Chairperson/the Vice-Chairperson shall give reply in writing before the business of the day is taken up for transaction.

(c) If the Councillor-concerned wants further information in relation to the question or suggestion he has made, he may do so with permission of the Chairperson, but no other Councillor shall join in the discussion on this matter. If the Chairperson thinks the supplementary question or suggestion is irrelevant, no reply may be given and the matter shall be dropped.

(d) If more than one Councillor ask questions or make suggestions as stated in (a) above, the matter may be taken up according to the priority of date, if it is made on the same date, according to the time of submission of the question or suggestions. The manner of taking up the matter in this case also shall be in accordance with what is laid down in (a) and (c) above.

(e) In all cases, the discussion shall not be more than half an hour unless the Chairperson decides otherwise.

(2) (a) If any Councillor desires to elicit information or suggest action on a matter of urgent public importance not relation to Municipality administration or Manipur Government administration relating to Municipality administration, he shall give in writing clearly the matter he wants to know or suggest to the Chairperson/the Vice-Chairperson are absent on leave or otherwise, he may do so just after the election at least five minutes before the days business is taken up for transaction. If both the Chairperson and the Vice-Chairperson of the Chairman of the meeting which has been prescribed in clause 9 of these Bye-laws.

(b) If more than one Councillor are to avail themselves of bye-law 2 (a) at the same time the matter which the Chairperson thinks is of more importance shall be taken up first.

(c) If the Chairperson thinks that it is a matter of urgent public importance he shall allot one hour for discussion on the matters before the day's business is taken up for transaction, all the Councillors may join in the discussion.

(d) If the Chairperson thinks that it is of no urgent public importance, he may drop the matter.

(3) If bye-law (1)(a) or (1)(d) is to collide with bye-law (a) or (2)(b) shall be taken up first for discussion; if more than one Councillor desire to elicit information or suggest action under bye-law (2)(a) the matter which the Chairperson thinks is of utmost public importance will be taken up first.

(4) If bye-laws (1) & (2) are to be taken up simultaneously, the Chairperson shall not allot more than one and half hour.

(5) The Chairperson may place before the Council the matter he thinks is of urgent and utmost public importance before the day's business is taken up for transaction, his motion shall the first priority above all else mentioned under the Bye-law 12.

(6) During the discussion, if the majority of the Council for present take that is in a matter requiring adjournment of the meeting, the Chairperson shall adjourn the meeting.

(7) If the condolence meeting of the death of a person of public or national importance is to be held on the move of Councillor or Chairperson it shall be so done before the day's business is taken up for transaction and the meeting shall be adjourned.

12. If the matter put up by the Councillors under bye-laws (1) and (2) were discussed earlier in another meeting, it shall not be replied or discussed. However, the information shall be communicated in writing or orally, as the Chairperson/Vice-Chairperson thinks fit, to the Councillor concerned. And the matter shall not be put up in the meeting.

13. (a) The discussion under bye-law 11 shall be recorded in the Minute Book mentioned under section 53(i) of the Act.

(b) If a Notice has been given under bye-law 6(i)(d) (discussion) on the matters mentioned under bye-law 11 (i) will be done on the next meeting provided the Councillor concerned does not withdraw the question or suggestion before the next meeting.

Explanation :- Next meeting means the meeting to be held in the next month as fixed by the Council.

14. (a) The order in which several subject shall be discussed at the meeting shall be determined by the order in which they are entered in the list of business, but the Chairperson may, at his discretion, if the majority of the Councillors present do not object, depart from this order for any special reason which shall be recorded in the Minutes Book.

(b) The Chairperson of the standing Committee who has put up its recommendation to the Council shall move the resolution. In his absence, any member of the Committee or Chairperson of the meeting may

move it with the consent of the majority of the Councillors otherwise the subject will be referred to another meeting.

(c) Before any subject is taken up for discussion the Councillor who wants to participate in the discussion shall normally give his name to the Chairperson in writing or the Chairperson may take down the names of such Councillors.

(d) The Chairperson of the standing committee or the member of the Committee or Chairperson of the meeting who has moved the resolution may reply in the end.

(e) The Chairperson may prescribe a time limit for such speeches.

(f) If any Councillor desires to amend the original resolution moved by the Chairperson of the standing committee or its members or Chairperson of the meeting he shall move his own amended resolution seconded by another Councillor with a copy of the amendment being made available to the Chairperson and until seconded no debate thereon can take place but in case the motion or amendment is moved from the Chair no seconding is required.

(g) If any Councillor wants to include any item in the recommendation of the Standing Committee, which has not been included in the day's business, it shall be obligatory on the part of the Chairperson to include it in its next recommendation, if not included, he shall give sufficient reason for its non-inclusion in its next recommendation. If the majority of the Councillors think that the reason is not sufficient, the item may be taken up by the Councillor for discussion during the discussion of the said recommendation of the Standing Committee. If sufficient materials for discussion are available, otherwise the item itself shall be included as a separate item in the list of business of the next meeting apart from the recommendation of the Standing Committee concerned and seconded by another Councillor.

(h) The Chairperson may, for reasonable cause, be recorded in writing and entered in the minutes of the proceedings.

(a) rule that a motion or amendment is illegal or out of order or

(b) make some alteration in the motion or amendment as shall, in his opinion, render it legal and in order or

(c) refuse to put the motion or amendment to the meeting unless and until the proposer and the seconder accept and sign the alteration so made

(i) After several amendments have been proposed and admitted and each has been discussed, the Chairperson shall put the last amendment to the Council first, if it is negatived, he shall put the last preceding amendment and so on and lastly the first amendment, and if all the amendments are lost, the original proposition shall be put to vote.

(j) When a motion has been put from the Chair and declared by the Chairperson to be duly carried, no further proposal for amending the motion or the amendment shall be entertained.

- (k) The priority to speak by the Councillors mentioned in bye-law 14(c) in the above shall be at the discretion of the Chairperson. In so doing the Chairperson shall decide impartially as far as possible.
- (l) It shall be competent to any Councillor to move a resolution under the miscellaneous items to effect that any subject which does not come within the preview of any Standing Committee shall be referred to a Special Committee and shall be entitled to name the Councillor of such Special Committee with the consent of the majority of the Councillors. But no discussion shall be done on the subject. The mover shall as a member of the Special Committee and move the resolution duly seconded when the Special Committee make recommendation. The Special Committee shall remain dissolved after the subject referred to has been discussed and a decision has been taken thereon.
15. When an amendment has been moved by a Councillor under bye-law 14(f), the procedure prescribed under bye-law 14(c) shall be allowed.
16. When addressing a meeting of the Council its Councillor shall do so standing.
17. Except as provided by these Bye-laws no Councillor shall interrupt a speaker.
18. Any Councillor mentioned under bye-laws 14(c) and 15 shall be at liberty to call attention of the Chairperson to a point of order even when a Councillor is speaking on a point of order and the Councillor addressing the meeting shall resume his seat until his seat until the question has been decided by the Chairperson. After the decision of the Chairperson the made point of order shall not be raised again.
19. A speaker who has exhausted his right to speak on a original motion may speak on any amendment being moved as that raised a new question.
20. A Councillor shall be given only one chance to speak on a subject. However, as prescribed under bye-law 14(d) the mover of an amendment shall have the right of reply in the end.
21. No resolution of the Council shall be modified or cancelled without following the procedure laid down under section 54 of the Act.
22. For the purpose of taking into consideration business involving many details, a meeting may resolve itself into a committee of the whole body when this has been determined the same question shall be deemed suspended until the meeting resumes.
23. Notwithstanding what is provided under order clauses Bye-laws, the Deputy Commissioner and Director of the Municipal Administration Housing and Urban Development of Manipur as the State Govt. specify to be entitled to attend any meeting of a Council within their jurisdiction under section 55 of the Act and shall be allowed to speak on a motion or amendment or at any stage of the debate to clear any point with the permission of the Chairperson, but shall not have the right to vote as laid down under the said section of the Act. In the case also the procedure of not interruption a speaker shall be followed or the Chairperson may request the said Deputy Commissioner or the Director or any said officer to clarify a point.

24. The Executive Officer of the Council may at any stage of the debate or motion explain any point in the debate or motion at the meeting with the permission of the Chairperson but not while a Councillor addressing the meeting.

25. Adjournment :

- (a) It shall be competent to any Councillor mentioned under bye-law 14(c) and 15 to move the adjournment of the debate apart from what is laid down under clause 11(4) of these Bye-laws or the meeting in a speech, not exceeding five minutes in duration.
- (b) During the course of discussion on any item, it shall be competent for any Councillor to move an adjournment motion duly seconded by another Councillor on a matter of urgent and public importance.
- (c) When a motion for adjournment of the meeting of a debate is made it shall be seconded without a speech, and put by the Chairperson, to the vote without debate or amendment.

26. Appointment of Committee :-

- (i) (a) The Council at a meeting may appoint from time to time committee naming its members to be called "Standing Committee" as laid down under section 56 of the Act.
- (b) (i) Names of the members of a committee shall be proposed by a Councillor and seconded by another Councillor.
- (ii) The Chairperson/Vice-Chairperson shall be the officio chairman of any Committee if either of them is a member of any committee.
- (iii) If both the Chairperson and Vice-Chairperson members of any committee, the Chairperson shall be the Ex-Officio Chairman of the committee.
- (iv) If neither the Chairperson nor the Vice-Chairperson of any committee shall be elected by the members of the committee but confirmed by the Council.
- (v) Conduct of business will be the same as is done in a Council/Panchayat meeting as far as possible and practicable.

- 27. (a) The minutes of proceedings of each meeting of a Council/Panchayat or any of its committee shall be recorded by the Committee Officer or Officer appointed by the Council/Panchayat in a book to kept for the purpose separately for the Council/Panchayat and for each of its committee as laid down under section 53 of the Act.
- (b) The minutes shall contain a brief abstract of the discussion proceeding each resolution/recommendation, when the subject is, in the opinion of the Chairperson of sufficient importance.
- (c) Protest/dissent shall be limited to a concise and definite statement of the reasons in writing which prompted the Councillor to vote in the minority on a given question.

- (d) Protest/Dissent shall be handed over to the Chairperson/Chairman before the conclusion of the meeting at which the resolution/recommendation protested was passed.
28. If any councillor acts in a manner unbecoming of his status, which in the opinion of the Chairperson amounts to lowering the dignity of the Council/Panchayat, the Chairperson may ask the Councillor to be best from participating in the business of the Council/Panchayat. If he refuse to leave the meeting or continues to obstruct the business of the Council/Panchayat the Chairperson may recommended to the Council/Panchayat for his suspension.
29. (a) The Council/Panchayat may appoint a committee consisting of not more than five Councillors on privilege from time to time when a complaint of breach of privilege has been made to the Chairperson the Vice-Chairperson.
- (b) Its quorum shall be one third of the members.
- (c) On a reference being made to the committee on previlage a notice along with a copy of complaint shall be issued by the Secretary to the person complained against to appear on a specific date, time and place.
- (d) Such person shall attend on every date of hearing. If he is not able to attend, he shall inform the committee of the reasons thereof. If, however, the committee consider that there are not good reasons for his abcence or he has wilfully absented himself, the committee may proceed with the matter in his absence and submit the report.
- (e) If the said person admits his guilt or tenders apology the committee may make a report forthwith with such recommendation as it may deem fit.
- (f) While examining the question referred to it, the committee and the nature of breach and may make such recommendation as it may deem proper.
- (g) The complaining member or the member complained against, if he be a member of the committee shall not sit on the committee as long as the matter complained by or against him, as the case may be, is under consideration before the committee.
- (h) The Council/Panchayat shall fix the time for presentation of the report of the committee.