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MANIPUR ADMINISTRATION
SECRETARIAT - LAW & HOME DEPARTMENT

NOTIFICATION
Imphal, the 22nd October, 1957.

No.MUC/3(a)/57 :- In exercise of the powers conferred by Sub-Section(2) of Section 299 of the Assam Municipal Act, 1923 as extended to this Territory, the Chief Commissioner, Manipur, is pleased to confirm the following bye-laws for the inspection and regulation of the Municipal Markets, framed by the Imphal Municipal Board under Section 297 of the said Board.

BYE-LAWS FOR THE INSPECTION AND REGULATION OF
THE MUNICIPAL MARKETS.

(Under Section 297 of the Assam Municipal Act, 1923)

1. Short title :- These byelaws may be called the Municipal Markets Bye-laws.
2. Extent :- These byelaws shall extend to the New Market, the Purana Bazar, the Laxmi Bazar, the Pedlar's stalls and shops belonging to and maintained by the Board, and all other markets declared as Municipal Markets by the Board by public notification with the previous approval of the Manipur Administration.
3. Penalties:- (a) The penalty for the infringement of any of these byelaws shall be -
 - (i) a fine not exceeding the sum stated at the foot of the byelaws,
 - and
 - (ii) in the case of continuing offence, a further fine not exceeding the sum (if any) stated at the foot of the byelaws as the daily fine, which daily fine may be imposed for each day after written notice of the offence from the Board, or
 - (iii) suspension or cancellation of a licence, or refusal to issue or renew a licence.
- (b) The fines imposed under these byelaws may be recovered as a tax due to the Board under the Assam Municipal Act, 1923.

- (c) Except as otherwise specifically provided in these byelaws, it shall be competent to the Chairman or in his absence, an officer of the Board duly authorised for the purpose by a resolution of the Board to impose the penalties for the violation of these byelaws ;

Provided that in all such cases an appeal shall lie with the Board.

4. The Board may allot to any person the place or site which he may occupy in a market for the sale of goods. No person shall occupy any place or site in the market unless it has been duly allotted to him by the Board.

Fine, Rs.10/- daily fine Rs.3.

5. (1) The Board in a meeting may require by a resolution to be published in one or more local papers or in any other prescribed manner, that any person who occupies or continues to occupy any place or site in a market or any specified part of a market shall take out a licence, renewable annually, by a certain date as may be specified from time to time by the Board, on payment of such fee or fees as may be fixed by the Board. No person shall occupy any place or site in such a market or part of a market without having previously taken out a licence, or continue to occupy such a place or site without having taken out or renewed a licence as the case may be, before the specified date or date.

Fine Rs.10; daily fine Rs.3 during the first 16 days from the second day onwards and Rs.20 for every day after that.

- (2) This byelaws shall have retrospective effect from the 25th April, 1956 being the date of inauguration of the Imphal Municipality and shall be deemed to have always had effect from that date.

Provided :-

- (a) that the penal provision shall not have retrospective effect ; and
- (b) that in genuine cases of indigence or absence from station, in respect of the women vendors sitting in the stalls reserved for women, the Board may exempt fines for a period not exceeding one month.

6. Drunkennes, the use of obscene language, or rowdy behaviour in the market is prohibited.

Fine, Rs.10

7. The Board may in a meeting by a resolution suspend or cancel a licence, or refuse to issue or renew a licence for any one or more of the following reasons :-

(i) A second or a subsequent offence of drunkennes use of obscene language, or rowdy behaviour in the market or in any of the offices of the Municipality, or a second or a subsequent offence of pilfery or theft in the market.

(ii) Repeated violation of any of the conditions of the licence as laid down or may be laid down in these or other byelaws.

8. No person shall, without the permission of the Board, keep, store or sell any article or stay in any place within the market save during the hours, as determined by the Board in a meeting, for which the market is open for business.

Fine, Rs.10; daily fine, Rs.10.

9. No person shall erect or maintain any ~~sell~~ whether of a permanent or temporary nature, within the market save with the previous sanction of the Board.

Fine Rs.20; daily fine, Rs.20.

10. No person shall sell or expose for sale in any site or place in the market any articles other than those for the sale of which in that site or place a licence, or a specific or general permission is given by the Board.

Fine, Rs.10; daily fine, Rs.10.

11. (1) The Board may by a resolution in a meeting suspend or cancel a licence, or refuse to issue or renew a licence for any one or more of the following reasons :-

(1)(i) The reorganisation of the market in order that sellers of the same kind or similar kinds of goods may be seated in suitable compact areas, or for any other reason in the public interest.

- (ii) The shifting of the market or a specified part of the market to any other area, temporarily during the construction of the market, or temporarily or permanently for any other reason in the public interest.

Provided:-

- (a) That in these cases a licence shall be issued for an alternative site or place in another suitable area, failing which the Board shall pay reasonable compensation as may be determined by the Board in a meeting, to the party concerned ;
- (b) that in case of any dispute or any difference between the Board and any of its licencees or vendors or any other persons affected, the Deputy Commissioner shall be the sole arbitrator, whose decision shall be final and binding on both parties; that in such a case the Deputy Commissioner shall consider benevolently the actions and decisions of the Board which is a public representatives body, give credit to this body that it will reasonably administer the matters under its control and support its decisions if possible; and that the Deputy Commissioner shall not modify or set aside the decisions of the Board without the latter's consent and agreement, unless they are manifestly unjust, disclose bad faith or involve such oppressive or gratuitous interference with the rights of these affected as could find no justification in the minds of reasonable men.
- (2) This byelaws shall have retrospective effect from the 25th April, 1956 and shall be deemed to have always had effect from that date.

Sd/-
S. C. BARDHAN
Secretary (Law & Home Manipur
Administration.