

MANIPUR GAZETTE



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OFFICE OF THE LAMSANG MUNICIPAL COUNCIL
IMPHAL WEST, MANIPUR

NOTIFICATION

Lamsang, the 30th October, 2022

No.2/7/2022-LSMC(Bye-Law): Whereas the draft “Lamsang Municipal Council (Registration and Licensing of Shops) Bye-Laws, 2022” was published as required under Section 209(1) read with Section 211(1) of the Manipur Municipalities Act, 1994 in the Manipur Gazette Extraordinary No. 102 dated 10th June 2022 for inviting claims and objections from the general public within 15 days from the date of publication of the said notification in the Official Gazette.

And whereas no claims and objections were received by Lamsang Municipal Council during the stipulated time period;

Now, therefore, in exercise of the powers conferred by Section 211 (1) & (2) and Section 212 of the Manipur Municipalities Act 1994 and the same draft Bye-Laws having been approved by the Government vide letter no. MiscM-601/21/2022-MAHUD-MAHUD dated 19th October 2022, the Lamsang Municipal Council hereby makes the following Bye-Laws namely:

“The Lamsang Municipal Council (Registration and Licensing of Shops) Bye-Laws, 2022.”

CHINGANGBAM ANANDA ANGOMCHA,
Executive Officer,
Lamsang Municipal Council, Manipur.

**THE LAMSANG MUNICIPAL COUNCIL (REGISTRATION AND LICENSING OF SHOPS)
BYE-LAWS 2022**

1. Short Title, Extent and Commencement:

- (a) These bye-laws may be called “The Lamsang Municipal Council (~~Registration and Licensing of Shops~~) Bye-Laws 2022.”
- (b) These bye-laws shall extend to the whole area of Lamsang Municipal Council (hereinafter referred to as Municipality).
- (c) They shall come into force from the date of their publication in the **Official Gazette**.

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

- (a) **“Act”** means the Manipur Municipalities Act, 1994
- (b) **“Authority”** means Lamsang Municipal Council.
- (c) **“Chairperson”** means Chairperson of the Lamsang Municipal Council.
- (d) **“Executive Officer”** means the Executive Officer of Lamsang Municipal Council.
- (e) **“Form”** means any form appended to these bye-laws.
- (f) **“Goods”** means every kind of movable property other than actionable claims and include 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.*).

- (g) **“Municipality”** means Lamsang Municipal Council.
- (h) **“Potpham”** means selling or vending of articles spread on Lukmai or cloth or any other material on ground/platform whether under a license or not.
- (i) **“Schedule”** means Schedule appended to these bye-laws.
- (j) **“Shop”** means and includes any premise used wholly or in part for the sale of services or for wholesale or retail sale of goods for cash or credit, but does not include hotels, restaurants, eating places, potpham of markets and hawking.
- (k) **“Shopkeeper”** means a person owning or having charge of a shop after registration under these bye-laws.

- (l) **"Shop Registration Number"** means the number allotted to a shop after registration under these bye-laws
 - (m) **"Shop Registration Certificate"** means a certificate issued to a shopkeeper after registration under these bye-laws.
 - (n) **"Shop License"** means the license issued to a shopkeeper under these bye-laws for the purposes of keeping and running his/her shop.
 - (o) **"Shop Registration and Licence Book"** means the book maintained by the municipality wherein the registration and licence of shops within the municipal area of Lamsang Municipal Council is recorded.
 - (p) **"Service"** means service of any description which is made available to potential users and includes the provisions of facilities in connection with banking, financing, insurance, transport, processing, supply of electrical or other energy, boarding or lodging or both, house construction, entertainment amusement, or purveying of news or other information, but does not include rendering of any service free of charge or under a contract of personal services.
 - (q) Words and expressions used in these bye-laws and not defined by these bye-laws but defined in the Act shall have the same meanings respectively assigned to them in the Act.
3. (i) No shopkeeper shall run a shop or establishment within the municipality unless his/her shop is registered at the office of the municipality under these bye-laws.
- (ii) A shopkeeper may get his/her shop or establishment registered by making an application in Form - 1 on payment of registration fees as specified in the Schedule of Fees and Fine appended to these bye-laws or decided by the municipality from time to time.
- (iii) On receipt of an application accompanied by the requisite fee under 3 (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 a shop shall remain valid until it is cancelled or revoked on the ground that it has remained closed exceeding six consecutive months or that the shop licence is not renewed for two consecutive years.
4. (a) No shopkeeper shall keep and run a shop within the municipality area unless under a shop licence to be issued in this behalf by the municipality under these bye-laws.

(b) A shopkeeper may obtain a shop licence on application in Form – 1 on payment of licence fee as specified in the Schedule of Fees and Fine appended to these bye-laws.

(c) A shopkeeper's licence shall be in Form-3 and shall be valid for one calendar year commencing from the date of issue of licence and expiring automatically thereafter unless renewed within ninety days from the expiry with a fine as specified in the Schedule of Fees and Fine appended to these bye-laws.

(d) Such shop licence shall bear the Registration Number of the shop and shall be issued in the name of the shopkeeper 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 a licence on payment of a fee as specified in the Schedule of Fees and Fine appended to these bye-laws or as decided by the Council from time to time. The application for renewal of licence shall be in Form – 4 of these bye-laws.

(f) Every application for the renewal of licence shall be made so as to reach the licensing authority at least seven working 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 for renewal of licence.

5. (i) The Executive Officer shall be the Registering and Licensing Authority who shall have the power to allow or cancel registration; also issue, renew, suspend, revoke or cancel licences under these bye-laws.

(ii) All powers of the municipality in respect of registration of shops; grant, issue, renewal, refusal or cancellation of shop licences; and functions of the municipality 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 him/her in this behalf.

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

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

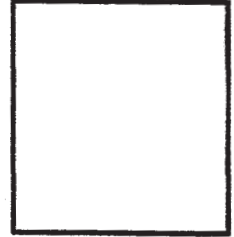
- (b) to cancel or completely revoke a licence if he/she is satisfied that it has been secured by the licensee through misrepresentation or fraud or if any of the instructions have not been complied with or the licensee has been convicted for contravention of any of the provisions of the Act or Rules or Bye-laws made thereunder relating to any matter in respect of which the licence has been granted, provided that reasonable opportunity shall be afforded to the licensee to show cause before making any such order of cancellation or revocation;
 - (c) to issue to the licensee such direction as he/she may deem fit necessary for securing proper compliance with the bye-laws or in the interest of public safety and/or health;
 - (d) to impose/collect and recover fine for contravention of any of the provisions of these bye-laws.
7. An appeal shall lie against any order refusing to grant, renew a licence, suspending or withdrawing a licence or registration to the Chairperson, provided that every such appeal shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within thirty days of the order passed.
 8. The Registering and Licensing Authority may, with the approval of the Council, divide the municipality area into zones and classify the shops into categories for the purpose of carrying out these bye-laws conveniently.
 9. The Council may, from time to time, make or issue orders or notifications for expedient implementation, or/and interpretation of these bye-laws.
 10. (a) If any person violates any of the provisions of these bye-laws, he/she shall be punishable with fine and if the violation/offence is a continuing one, he/she is liable to a fine as prescribed in the Schedule of Fees and Fines for each day of such violation after conviction.
 (b) All fees and fine payable under these byelaws shall not be refundable.

SCHEDULE OF FEES AND FINES (in INR)

<i>Bye-law No.</i>	<i>Clause of Subject</i>	<i>Fee</i>
3. (ii)	Registration Fee for annual business of:	
	(a) Above 50 Lakh	6,000/-
	(b) Above Rs. 25 lakh but not exceeding 50 lakh	5,000/-
	(c) Above Rs. 10 lakh but not exceeding Rs. 25 lakh	4,000/-
	(d) Above Rs. 5 lakh but not exceeding Rs. 10 lakh	3,000/-
	(e) Rs. 1 lakh but not exceeding Rs. 5 lakh	2,000/-
4. (2)	Licence Fee for annual business of:	
	(a) Above 50 Lakh	2,500/-
	(b) Above Rs. 25 lakh but not exceeding 50 lakh	2,000/-
	(c) Above Rs. 10 lakh but not exceeding Rs. 25 lakh	1,500/-
	(d) Above Rs. 5 lakh but not exceeding Rs. 10 lakh	1,000/-
	(e) Rs. 1 lakh but not exceeding Rs. 5 lakh	500/-
4. (5)	Renewal of Licence	Same as Licence Fee for the class/category of annual business value
10. (1)	Penalty:	
	(a) Violation of any provision of these byelaws	1,000/-
	(b) Continuance of violation of (a) for each day	100/-

Form - 1

**FORM OF APPLICATION FOR SHOP REGISTRATION/LICENCE UNDER Section 3(i)
OF LAMSANG MUNICIPAL COUNCIL (REGISTRATION AND LICENSING OF SHOPS
BYE-LAWS 2022)**



1. Applicant's Name :
2. Father's/Husband's Name :
3. Age (with supporting document) :
4. Address :
 - (a) Permanent Address :
 - (b) Present Address :
 - (c) Police Station of Permanent Address :
 - (d) Post Office :
5. Business dealing in :
6. Valuation of Business (per annum) :
7. Registration No. (if registered) :
8. Area of shop :
9. Schedule of shop :
 - (a) East :
 - (b) West :
 - (c) North :
 - (d) South :
10. Whether the shop is under patta land or municipal land:
11. Type of structure of shop :
13. Name of shop (as depicted in sign board) :

DECLARATION

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

Date:

Signature of the applicant

Place:

Form - 2**REGISTRATION CERTIFICATE**

It is hereby certified that the shop of Shri/Smt.
..... of
located at has been registered as
..... under the Lamsang Municipal
Council (Registration & Licensing of Shops) Bye-Laws 2022, on the day
of Year and the Registration No. is

Dated:

Signature of the Licensing Authority

Seal

Form - 3**FORM OF SHOP LICENCE**

Under Bye-laws No. 4 (c) of the Lamsang Municipal Council (Registration and Licensing of Shops) Bye-Laws 2022

Licence No.

Dated.....

Licence is hereby granted to Shri/Smt.

S/o, D/o, W/o ofto run his/her business dealing in in the premises described below under Shop Registration No. dated subject to the provisions of the Manipur Municipalities Act 1994 and the Bye-Laws made thereunder.

The Licence shall remain in force till the day of year

Dated

Signature and official seal
of the Licensing Authority

Description of the Licensed Shop:

(i) Type of structure of shop:

(ii) 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 contravention of any provision of the Manipur Municipalities Act. 1994 or the Bye-laws framed thereunder.

Date of Renewal	Date of Expiry	Signature and seal of the Licensing Authority

Form - 4

FORM OF APPLICATION FOR SHOP LICENCE RENEWAL

[Under Bye-law 4 (e) and (f) of the Lamsang Municipal Council (Registration and Licensing of Shops) Bye-laws 2022]

1. Name of the Shopkeeper:
2. Father's/Husband's Name:
3. Age:
4. Address:
5. Business dealing in:
6. Name of the shop (as described in sign board)
7. Shop Registration Number:
8. Licence Number:
9. Date of Expiry of Licence:

Date:

Signature of Applicant