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NOTIFICATION

No. B. 13017/46/2012-UD&PA, the 20th December, 2012. The following Regulations "The Aizawl Municipal Council Licensing Regulations, 2012" is hereby published for general information.

R.L. Rinawma,
Principal Secretary to the Govt. of Mizoram,
Urban Development & Poverty Alleviation Department.

**GOVERNMENT OF MIZORAM
URBAN DEVELOPMENT & POVERTY ALLEVIATION DEPARTMENT**

NOTIFICATION

AIZAWL MUNICIPAL COUNCIL LICENSING REGULATIONS, 2012

No. B. 13017/46/2012-UD&PA (M), the 20th December, 2012. In exercise of the powers conferred by section 371 of the Mizoram Municipalities Act 2007 (Act no.6 of 2007), and in supersession of all existing rules, the Aizawl Municipal Council hereby makes the following Regulations for issue, control and regulation of Licenses for certain trades within the area of Aizawl Municipal Council, namely -

1. Short title extent and commencement

- a) These regulations may be called the Aizawl Municipal Council Licensing Regulations, 2012
- b) They shall apply to the whole of Aizawl Municipal Council Area.
- c) They shall come into force on such date as the Aizawl Municipal Council may, by notification in the Official Gazette, appoint.

2. Definitions

In these Regulations unless there is anything repugnant in the subject or context:-

- a) "Act" means the Mizoram Municipalities Act 2007. (Act No 6 of 2007) as amended from time to time;
- b) "Bakery" means a place where bread and cakes are made or sold, which may include confectionery;
- c) "Beauty Parlour" means an establishment providing cosmetic treatments, which include hair care, facials, manicure and pedicure for men and women, and may also include massage parlour and spa;
- d) "Board of Councilor" means the Board of Councilors of the Aizawl Municipal Council;
- e) "Building" includes a house, out house, lodging house, stable, privy, urinal, shed, hut, wall (other than a boundary wall, not exceeding 3.05 metres in height), verandah, balcony, chajja, sun shed, stair case and any other such structure, whether of masonry, bricks, wood, mud, metal or any other material, whatsoever but does not include temporary shed erected on religious or ceremonial or festive occasions;
- f) "Chairman" means the Chairman of Aizawl Municipal Council;
- g) "Factory" means a place where goods are manufactured or assembled with or without machine;
- h) "Hotel" means an establishment providing accommodations, meals, and other services for travelers and tourists.;
- i) "Food" means any substance, whether processed, partially processed or unprocessed, which is intended for human consumption and includes an article of food, being a produce of agriculture or horticulture or animal husbandry and dairying or aquaculture in its natural form, resulting from the growing, raising, cultivation, picking, harvesting, collection or catching in the hands of a person other than a farmer or fisherman, genetically modified of a person other than a farmer or fisherman, genetically modified or engineered food or food containing such ingredients, infant food, packaged drinking water, alcoholic drink, chewing gum, and

- any substance, including water used into the food during its manufacture, preparation or treatment but does not include any animal feed, live animals unless they are prepared or processed for placing on the market for human consumption, plants, prior to harvesting, drugs and medicinal products, cosmetics, narcotic or psychotropic substances.;
- j) "Grocery" means food grains, spices and other edible items for consumption.
 - k) "Hair Cutting Saloon" means a barber shop for men.
 - l) "Industry" means economic activity concerned with the processing of raw materials and manufacture of goods in factories.
 - m) "License" means License issued by the Aizawl Municipal Council for the purposes of trade.
 - n) "Livestock" means any animal, bird or fish;
 - o) "Lodging house" means a hotel, boarding house for the public, rest house, or any other place where the public are admitted and provided with sleeping accommodation on payment and shall include religious and charitable institutions, and where meals may or may not be offered;
 - p) "Market" means a place where buyers and sellers assemble to trade goods and services for money or barter;
 - q) "Premises" includes lands, buildings, vehicles, tents, vans, structure of any kind, stream, lakes, drains, ditches or places open, covered or enclosed, whether built on or not and whether public or private, and whether natural or artificial and whether maintained or not under statutory authority;
 - r) "Restaurant" means a place where people pay to eat meals, and includes a fast food stall;
 - s) "Tea Stall" means a permanent, semi-permanent or temporary stall or shop where small-time vendor sells tea, coffee and milk along with snacks.
 - t) "Trade" means any economic or business activity with or without the purpose of making profit."
 - u) "Workshop" means a place or building in which goods are manufactured or repaired which may include motor workshop, tyre work, two wheeler workshop, furniture workshop, electronic and battery repairing, shoe and leather repairing and watch repairing.
 - v) Words and expressions used but not defined in these regulations but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Authority to issue a License

The authority to issue licenses in respects of trades or business specified in the schedule shall be the Chairman of the Aizawl Municipal Council.

[Provided that the Chairman may delegate the Chief Executive Officer or any other Officer of the Council the power to issue a license under these regulations on his behalf as he may deem fit.]

4. Procedures

- a) Every person who desires a license under these regulations shall make an application in Form No.I or II as the case may be, to be obtained from the Aizawl Municipal Council on payment of Rs.50/- for application form;
- b) Every person making an application for a license shall submit 4 passport size photographs along with the application Form;

- c) Every person applying for license shall comply with the provisions of these regulations and shall also abide by the conditions stated in the application in Form Nos. II and III as the case may be;
- d) License may also be issued outside market area, in which case preference may be given to local inhabitants.
- e) On receipt of an application and subject to the provision of these regulations, all licenses may be issued in Form III in respect of items enumerated in Schedule I and Schedule II.
- f) The application for a License should be accompanied by the following Documents:
 - i) No Objection Certificate from the house or land owner where the business is intended to be run;
 - ii) NOC from Local Council;
 - iii) Residential Certificate
 - iv) EPIC
 - v) Passport Size Photos (4 copies)
 - vi) License/Registration Certificate from Food Licensing Authority, H&FW Deptt (applicable only in case of establishments for eatable or food items or industries)

5. Inspection of Premises before issue of license

In case the application for a license is for manufacture, storage or sale any article of food, the authority having power to grant such a license shall inspect the premises and satisfy himself that the premises is free from sanitary defects.

6. Conditions for opening business

- a) Any person desirous to open a shop or start a trade should, before opening of such shop or starting such trade, submit an application for license, complete in all respect, to the Aizawl Municipal Council in accordance with the provision of these regulations.
- b) Any person carrying on any trade, profession or calling specified in these Regulations within Aizawl City should obtain a license for such trade, profession or calling from the Aizawl Municipal Council.

[Provided that the licensee shall strictly abide by the conditions of license]

7. Any business or trading establishment not to set up without permission of the Chairman.

- a) No person shall, without the previous Permission of the Chairman of AMC, establish in any premises, or materially alter, enlarge or extend any factory, workshop, premises in which it is intended to employ steam, electricity, water or other mechanical power.
- b) The Chairman may refuse to give such permission if he is of opinion that the establishment, alteration, enlargement or extension of such factory, workshop or trade premises, in the proposed location would objectionable on account of density of population, pollution, nuisance to the public or any other reasons thereof.

8. Regularisation of existing trade or business establishment

All existing trade or business establishment, whether petty or large-scale in nature within the area of Aizawl Municipal Council shall be regularized as per the Regulations made thereunder.

- a) In case it is required, for reason or reasons of which to be recorded in writing, then such trade or business establishment may be shifted or permanently de-licensed as the case may be.
- b) AMC or the agency on advice from AMC shall complete such regularization within 6 months of issuance of these Regulations.
- c) In case an agency fails to regularize its license within the time period of 6 months, the Chairman shall have the power to extend the time period of 3 months, but shall impose a penalty of up to 50% but not less than 20% of the license fee for such extension. If, even after such extension, an agency fails to regularize its license, the Chairman shall order for closure of the trade and the decision of the Chairman shall be final and binding.

9. Validity of license

Any license issued under these regulations, unless suspended or cancelled shall be valid for a period of 1 (one) year from the date of issue.

10. Shifting of workshop and shop

The Chairman shall have the power to issue direction to shift any workshop or shop or any trade premise for which a license has been issued under these Regulations if, in his opinion, it is necessary so to do in the interest of public hygiene, sanitation or prevention of nuisance to the inhabitants of the neighbourhood.

11. Prohibition of Pollution of water by chemicals etc

No person engaged in any prescribed trade or manufacture shall willfully do any act connected with any such trade or manufacture whereby the water in any such lake, tank, reservoir, cistern, wall duct or other place for storing water is fouled or polluted.

12. License fee

The annual fee in respect of a license for trading or business in the items enumerated in Schedule I and Schedule II shall be paid by the applicant after approval of his application; provided that such fee is subject to revision by the Board of Councillors from time to time.

13. Renewal of license

An application for renewal of a license should be submitted before first day of the month in which the license expire, and the procedure for renewal is the same as that for granting of license. The license shall be deemed to be in force during the pendency of the disposal of the renewal application;

[Provided that any application for renewal of a license submitted after the period prescribed in these regulations shall be accompanied by a late fee of Rs.10/- for every day of delay]

14. Cancellation of license

A license issued under the provision of these regulations shall be cancelled-

- a) if the licensee fails to abide by the conditions laid down in the license;
- b) if the premises of the shop has been shifted without approval of the Chairman;
- c) if container for disposing garbage and refuses is not available within the premises;
- d) if the licensee carries on or permits to be carried on, any other trade in the licensed premises, except the trade mentioned in the license;
- e) if it becomes evident that the running of the trade has created a public nuisance and polluted the vicinity;
- f) if it becomes evident that the information submitted in Form I is a misrepresentation of fact or mistake;
- g) if the licensee fails to display a notice board containing the nature of articles which he is exposing or offering for sale in accordance with the instructions issued by the AMC from time to time;

[Provided that no order of cancellation shall be made unless the licensee has been given opportunity of making representation]

- h) if it is found that the license has been sublet;
- i) if it is found that licensee is carrying on his business in an unapproved building.
- j) If it is found that licensee is not carrying on trade/operation or keeping articles of food, in accordance with the Central Rules or the State Rules framed in exercise of the powers conferred by the Food Safety & Standard Act 2006 and Rules & Regulations made under the said Act.

15. Duplicate license

The authority empowered to issue a license may, for sufficient reasons, issue a duplicate license on payment of Rs. 50/- with the word "Duplicate" appearing prominently therein.

16. Identification of License

An Identification number for each and every trade or license shall be issued by the Chairman. The same should be displayed prominently at the signboards erected by the licensee. In case of non-compliance, the Chairman may cancel the license.

17. Restriction in keeping bread-stuff, etc. otherwise than in a cover receptacles

No meat, bread-stuff, cake, sweetmeat, confectionary or any other articles of food intended or commonly used for human consumption without further preparation by cooking shall be sold, exposed, kept, or stored for sale unless they be kept properly covered or otherwise guarded in a proper manner so that they shall be protected from dust, dirt, and flees.

18. Power to close shop or market in case of dangerous disease

The Chairman may, for a specified time, with a view to preventing the spread of any dangerous disease, order that any market, hotel and lodging house shall be closed, or forbid any person to attend any such market, to lodge in such lodging or in such hotel.

19. Restriction of sale of diseased animal or unwholesome articles intended for human consumption

No person shall sell or expose for sale-

- (a) any livestock intended for food; or
- (b) any other article of food or drug intended to be used for human consumption, which is diseased, unsafe, or unfit for consumption.

20. Power to inspect places when food etc. intended for human consumption is stored

- (1) The Chairman or any officer authorized by the Chairman in this behalf, may-
 - (a) at all reasonable time enter into and inspect any place in which any livestock, food or any article of food or any drug is deposited for the purpose of sale; or
 - (b) inspect and examine any living thing, food or any other article of food or any drug intended for human consumption which is being for sale.

21. Fine

Whosoever commits any offence by failing to comply with any provision of the Act or of these regulations or any direction lawfully given to him or any requisition lawfully made upon him under the provision of the Act or under these regulations, shall be punished with fine which may extend to Rs. 5,000/-; provided that such fine is subject to revision by the Board of Councillors from time to time.

FORM NO I
AIZAWL MUNICIPAL COUNCIL
APPLICATION FOR LICENSE (Except Hotels & Lodgings)
(See Section 3 of the AMC Licensing Regulations 2012)

To be filled by applicant

Sl.No	Items	Particulars
1	Name of Applicant	
2	Proprietor/Partnership/Private Limited?	
3	Address	
4	Place of proposed Trading	
5	Phone No	
6	Mobile No	
7	E-Mail ID	
8	TIN No. (if any)	
9	CST No. (if any)	
10	PAN No. (if any)	
11	Whether premises owned or leased?	
12	Details of Business	
13	Date of Establishment	

LIST OF DOCUMENTS TO BE ATTACHED

- a) Agreement with the landlord by the tenant in case of rented house.
- b) NOC from Local Council
- c) EPIC
- d) Residential Certificate
- e) Passport Photos (4 copies)
- f) License/Registration Certificate from Food Licensing Authority, H&FW Deptt (for selling eatable items)

DECLARATION

1. I hereby declare that my premises are not located in residential or unauthorized area or any encroachment on government land and there is no unauthorized construction.
2. I shall dispose of solid waste of these premises as per Aizawl Municipal Council Sanitation and Public Health Regulations 2012.
3. I shall follow all rules and regulations of the Aizawl Municipal Council as well as other Government Departments/agency applicable from time to time.
4. It is certified that the above information is correct to the best of my knowledge.

Signature of Applicant
Address

FORM NO II
AIZAWL MUNICIPAL COUNCIL
APPLICATION FOR LICENSE (FOR Hotels & Lodgings ONLY)
(See Section 3 of the AMC Licensing Regulations 2012)

To be filled by applicant

Sl.No	Items	Particulars
1	Name of Applicant	
2	Proprietor/Partnership/Private Limited?	
3	Address	
4	Place of proposed hotel/lodges	
5	Phone No	
6	Mobile No	
7	E-Mail ID	
8	TIN No. (if any)	
9	CST No. (if any)	
10	PAN No. (if any)	
11	Whether premises owned or leased?	
12	No of Rooms AC	
13	No of Room Non AC	
14	No of Banquet Hall	
15	No of Conference Hall	
16	Any other facilities	
17	Details of Business	
18	Date of Establishment	

LIST OF DOCUMENTS TO BE ATTACHED

- a) Agreement with the landlord by the tenant in case of rented house.
- b) NOC from Local Council
- c) EPIC
- d) Residential Certificate
- e) Passport Photos (4 copies)
- f) License/Registration Certificate from Food Licensing Authority, H&FW Deptt

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- 3. I shall follow all rules and regulations of the Aizawl Municipal Council as well as other Government Departments/agency applicable from time to time.
- 4. It is certified that the above information is correct to the best of my knowledge.

Signature of Applicant
Address

FORM NO. III
AIZAWL MUNICIPAL COUNCIL
GRANT OF LICENSE FOR TRADE/BUSINESS PURPOSES
(See Section 3 of the AMC Licensing Regulations 2012)

LICENCE

(NOT TRANSFERABLE)



License No.

Dated

To

.....

- 1. You are permitted to carry on trade on the articles/items mentioned below subject to the terms and conditions stipulated hereinafter for which a sum of Rs. (Rupees) only has been received vide No of..... being the license fee for the year ending
- 2. You shall run trade in the building/house of Shri/Smt at bearing House No of

Sl.No. NAME OF ARTICLES OF TRADE LICENCE FEE PAID

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.

Total :-

Licensing Authority
Aizawl Municipal Council

CONDITION OF LICENSE

1. That licensee, shall not contravene any of the provisions of the Mizoram Municipalities Act 2007 and regulations made there under;
2. That licensee shall abide by all instructions given by the Aizawl Municipal Council from time to time;
3. That licensee shall produce his license whenever required to do so by any officer of the Aizawl Municipal Council
4. That licensee shall deal only in commodities and at places mentioned in the license.
5. That licensee shall not close business without the approval of the Aizawl Municipal Council whether temporarily or permanently;
6. That licensee shall not sell any adulterant as defined in Food Safety & Standard Act 2006, Food Safety & Standard Rules 2011 and Food Safety & Standard Regulations 2011
7. That licensee shall not sublet the license to another person;
8. That licensee shall keep the premises neat and clean and free from any sanitary defect;
9. That licensee shall maintain two separate empty tins for the disposal of biodegradable garbage and non-biodegradable garbage respectively. The tin for the biodegradable garbage shall be painted green; the tin for the non-biodegradable garbage shall be painted black.
10. That licensee shall display your goods or commodities on public thoroughfares;
11. That you shall pay tax as assessed.
12. That licensee shall allow any officer of the Aizawl Municipal authorized by the authority empowered to issue license enter into any premises, where manufacture and/or sake if commodities is carried on.
13. If the licensee contravenes any of the above terms and conditions, then without prejudice to any other action that may be taken against him, his license will be suspended or cancelled and he will be liable to a penalty not exceeding Rs. 5,000/-; provided that such fine is subject to revision by the Board of Councillors from time to time.

SCHEDULE I
RATE OF LICENSE FEES UNDER WORKSHOP CATEGORY

Sl.No.	Trade Name	Rate of License Fee (in Rupees)
1	Arms Repairing Works	1500
2	Automobile Body Build	2500
3	Battery Cell/Dynamo Works	500
4	Beauty Parlour/Spa with Institution	1000
5	Beauty Parlour/Spa without Institution	700
6	Carpentry/Furniture Workshop	1000
7.	Computer Repairing/Training/Assembling	1000
8	Hair Cutting Saloon	600
9	Kuhva rah leh panhnah Dawr	500
10	Motor Hood Works, etc	1000
11	Motor Servicing Centre	1000
12	Motor Workshop (2/3 Wheelers)	1000
13	Motor Workshop (HMV)	2000
14	Motor Workshop (LMV)	1500
15	Photo Processing Centre	1000
16	Printing Press/Silk Screen/Flex. Etc	1000
17	Repairing of Electronics & Home Appliances (Eg: Mobile Phone, Radio, T.V., Fridge,etc)	1000
18	Repairing of Shoes/Umbrella	500
19	Steel/Aluminium/Glass/Plastics, etc. Fabrication	1500
20	Tyre Punction Works	550
21	Tyre Retreading/Resole Workshop	1500
22	Watch Repairing	550
23	Any other Business establishment which falls under this category	Upto 2500

SCHEDULE II
RATE OF LICENSE FEES UNDER FACTORIES/INDUSTRIES ETC CATEGORY

Sl.No.	Trade Name	Rate of License Fee (in Rupees)
1	Any Private Hospital/Nursing Home/Research Centre etc	5000
2	Artificial/Dry Flowers	500
3	Audio/Video Recording/Art Studio	1000
4	Bakery	700
5	Bakery & Confectionery	1000
6	Bamboo/Broom/Cane Industry	1000
7	Bricks/Chequered Tiles/Hollow Blocks/Pot etc Making Industry	1000
8	Candle/Chow Factory	700
9	Chalk/Distilled Water Making Industry	500
10	Cinema Hall/Theater/Movies etc	2000
11	Condemned Iron Store	1000
12	Fast Food Stall	500
13	Food Processing Industry	1000
14	Fruit Juice Making/Vendor	500
15	Gaming Parlour/Internet Cafe	500
16	Gold/Silver/Copper Smithy	1500
17	Grocery Shop Grade A	1500
18	Grocery Shop Grade B	500
19	Hostel	1000
20	Hotel Grade A	2500
21	Hotel Grade B	1500
22	Hotel Grade C	1000
23	Ice Factory	1000
24	Meat Shop	500
25	Mineral Water Making Industry	1000
26	Mobile Vendor	500
27	Picnic Spot/Recreational Centre/Swimming Pool	2500
28	Recycling Works of Paper/Rubber/Plastic etc	1000
29	Restaurant	800
30	Shoe & Bag Making Industry	1000
31	Tailoring & Embroidery with Institution	1000
32	Tailoring & Embroidery without Institution	700
33	Tea Stall	500

34	Tin/Blacksmithy	1000
35	Tyre/Rubber Processing Works	1000
36	Variety Store	500
37	Washing Service/Laundry	500
38	Weaving/Handloom/Cotton Industry	1000
39	Any other Business establishment which falls under these categories	Upto 2500