

THE MIZORAM OPEN MARKET (REGULATION) ACT 2012

An

Act

to provide for the management and control of open markets within the State of Mizoram

Preliminary

Short title, extent and commencement

1. (1) This Act may be called “The Mizoram Open Market (Regulation) Act 2012.
- (2) It extend to the whole State of Mizoram except the three Autonomous District Council of Pawi, Lakher and Chakma.
- (3) It shall come into force on such date as the Government may, by notification in the official gazette appoint.

Definition

2. (1) In this Act unless the context otherwise requires
 - (i) “Agricultural Produce” includes any produce, whether processed or non processed of Agriculture, Horticulture, Animal Husbandry, Pisciculture, Sericulture and Forest as specified in the schedule.
 - (ii) “Director” means the Director of Trade & Commerce Department Government of Mizoram and includes any other person or authority authorised by the Government.
 - (iii) “Government” means the State Government of Mizoram.
 - (iv) “Industrial Product” includes any product/ processed which came from industry as specified in the schedule.
 - (v) “Local authority” means a Local Council, Village Council, a Municipal Committee constituted under any Law in force.
 - (vi) “Market” means an appointed place where people come together to buy and sale, if any.

(vii) “Prescribed” means prescribed by Rules made under this Act.

(viii) “Rules” means the Rules made under this Act for carrying out the purpose of this Act.

(ix) “Schedule” means a schedule to this Act.

(x) “Secretary” means the Secretary to the Government of Mizoram, Trade & Commerce Department.

3. All Markets within the State of Mizoram shall be under the Control and Management of the Government.
4. No person shall without approval of the Government start any Market.
5. The Government shall have power to levy fees, taxes and other revenues which it is competent to levy in any market within the state of Mizoram according to the rates as prescribed in consideration of the locality of the market.
6. Any market wherein fees, taxes and revenue are assessed on Agricultural produces under section shall be settled in public auction for a lease of six month.
7. The Government shall be competent to prescribe Rules for management and control of the market.
8. The successful bidder of market fees auction will have to pay one-third of the amount of his bid on the spot and the balance will be paid within the period of his lease.
9. Power of the Government -
 - (a) To sanction the establishment of any market.
 - (b) to fix the market day or days in a week for all or any of the markets.
 - (c) to close any market in the public interest, if it is found necessary.

10. (1) Subject to the provisions of section 3 the Government may make Rules for carrying out the purposes of this Regulation
- (2) in particular and without prejudices to the generality of the foregoing powers, such Rules may provide for
 - (a) Management of the markets
 - (b) Fixation of Prices of Agricultural Produces, Industrial product and other commodities in the market including meat and meat product.
 - (c) Fixation of fees, taxes or revenues leviable in the markets.
 - (d) Collection and Credit of all fees and revenues due to the Government
 - (e) terms and conditions of the lease or agreement between the Government and lease.