

**MADHYA PRADESH ACT**  
**NO. 22 OF 1996**

**THE GWALIOR VYAPAR MELA PRADHIKARAN ADHINIYAM, 1996**

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## MADHYA PRADESH ACT

No. 22 of 1996

### THE GWALIOR VYAPAR MELA PRADHIKARAN ADHINIYAM, 1996.

(Received the assent of the Governor on the 28th December 1996; assent first published in the "Madhya Pradesh Gazette (Extraordinary)", dated the 30th December, 1996)

#### **An Act to provide for the better management and control of the Gwalior Trade Fair.**

Be it enacted by the Madhya Pradesh Legislature in the Forty-seventh Year of the Republic of India as follows :-

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| 1. | (1) This Act may be called the Gwalior Vyapar Mela Pradhikaran Adhinyam, 1996.<br>(2) It extends to such area as may from time to time be defined by the State Government by notification as Gwalior Trade Fair area.<br>(3) It shall come into force on such, date as the State Government may, by notification, appoint.   | Short title and commencement                  |
| 2. | In this Act, unless the context otherwise requires -<br>(i) "Authority: means the Gwalior Trade Fair Authority constituted under Section 3.<br>(ii) "Trade Fair" means trade, industrial, agricultural, cattle fairs or any other fair as may be specified by the state Government from time to time held at Gwalior trade fair area.  | Definitions                                   |
| 3. | (1) The State Government shall constitute a body to be called as "the Gwalior Trade Fair Authority" to manage and control the trade fair.<br>(2) The Gwalior Trade Fair Authority shall have a perpetual succession and a common seal and shall sue and be sued by the said name.<br>(3) The Authority shall consist of the following members, namely :-<br>(i) The Minister incharge of the Commerce and Industry Department of the State or a person nominated by the State Government who shall be the Chairperson; | Constitution of Gwalior Trade Fair Authority. |

<sup>1</sup>[(ii) a person nominated by the State Government who shall be the Vice-Chairperson;

(ii-a) Commissioner, Gwalior Division, Gwalior]

(iii) a representative of Commerce and Trade ;

(iv) a representative from the field of Arts and Culture;

(v) a representative of Industry;

(vi) The member of the House of People representing the constituency which wholly or partly falls within the Trade Fair Area;

(vii) The Member of the Legislative Assembly representing the consistency which wholly or partly falls within the Trade Fairs area;

(viii) The Mayor of Municipal Corporation, Gwalior;

(ix) The President of the Zila Panchayat, Gwalior

(x) one representative of the Trade Fair Authority of India, New Delhi;

(xi) The Collector, Gwalior;

<sup>2</sup>[(xii) The Zonal Industries Officer, Gwalior who shall be the Secretary;

(xiii) The General Manager, District Industries Center, Gwalior];

(xiv) Three social workers from different fields.

<sup>3</sup>[(xv) the Inspector General of Police, Gwalior]

(4) All non-official members shall be nominated by the State Government and shall hold office for a term of three years from the date they assume charge.

(5) No act or proceedings of the Authority shall be invalid merely on the grounds of the existence of any vacancy in or any defect in the constitution of the Authority.

(6) The non-official members shall be paid such travelling and duly allowances as may be prescribed.

4. If in the opinion of the State Government the continuance of any member in the Authority is undesirable it shall be open to the Government to remove such member from the Authority without assigning any reasons therefor.

Removal  
Member  
Authority of

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1. Subs. by Act 35 of 1997, the word "Commissioner, Gwalior Division Gwalior or" omitted from clause (ii) and ins. of new clause (ii-a) (w.e.f. 02.09.1997)

2. Subs. by Act 35 of 1997, the word "who shall be the secretary" omitted from clause (xiii) and , the word "who shall be the secretary" added in clause (xii) (w.e.f. 02.09.1997)

3. Ins. by Act 35 of 1997 (w.e.f. 02.09.1997)

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| <p>5. (1) The authority may appoint such number of officers and employees as may be necessary for the efficient performance of its functions.</p> <p>(2) The salaries and allowances payable to and the other terms and conditions of the officers and other employees appointed for the purpose of the authority shall be such as may be prescribed.</p>   | <p>Officers and other employees of the Authority</p> |
| <p>6. As soon as the Authority constituted by that State Government under Section 3, the management and control of the Gwalior Mela and the assets and liabilities, if any, of the Gwalior Mela Committee managing the Gwalior Mela at the time of constitution of the Authority together with all funds, if any, shall pass on and be vested in the Authority.</p>   | <p>Management and control of the Trade Fair</p>      |
| <p>7. Notwithstanding anything contained in the Madhya Pradesh Municipal Corporation Act. 1956 (No. 23 of 1956) or any other law for the time being in force in the trade fair area, the Authority may, during the period of the trade fair which shall be notified by the State Government in the Gazette, levy such rent for the land comprised in the said area as may be specified in the bye-laws to be framed by the Authority with the approval of the State Government.</p>   | <p>Levy of Rent by the Authority</p>                 |
| <p>8. The Authority may prescribe fees on payment of which and conditions subject to which any person or class of person may be licensed to ply any profession, trade or calling in the trade fair during the period of trade fair.</p>   | <p>Power to grant licence</p>                        |
| <p>9. If any officer specially empowered in this behalf by the Authority is satisfied that any person occupying any stall or space in the trade fair area is in unauthorized occupation of the stall or space or continues to occupy the stall or space after authority to occupy has ceased, he may, with previous sanction of the Authority, require such person to vacate the stall or space within such time as may be mentioned in the requisition and such person may, in addition to any penalty to which he may be liable under this Act, be summarily removed from the stall or space.</p> | <p>Power to remove persons from Trade Fair area</p>  |
| <p>10. (1) All moneys realized by or income accruing to the Authority shall be credited to a Fund to be called the "Gwalior Trade Fair Authority Fund".</p> <p>(2) The Fund shall not be utilized for any purpose other than that of the Trade Fair.</p>  | <p>Fund of the Authority</p>                         |

- (3) The moneys of the Fund shall be deposited either in a Scheduled Bank or a Co-operative Bank at Gwalior.
- (4) The Fund shall be operated under the signature of the Secretary of the Authority or such other officer authorized in this behalf by the Chairperson.
- (5) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts as may be prescribed.
- (6) The accounts of the Authority shall be audited in the prescribed manner.
11. The Authority shall prepare in such form and by such date for financial year, as may be prescribed, its annual report giving full accounts its activities during the previous financial year are forwarded a copy thereof to the State Government. Annual Report
12. Any person who - Penalties
- (a) makes any unauthorized construction within the trade fair area; or
- (b) uses unauthorizedly any place within the trade fair area as latrine, urinal or rubbished dumps; or
- (c) plies any profession, trade or calling within the trade fair area without a license obtained from the Authority or commits a breach of the condition of such license; or
- (d) contravenes any of the provisions of the Act or any rules made thereunder; or
- (e) disobeys any order or directions in writing lawfully issued under this act;
- shall be punishable on conviction with a fine which may extend to five thousand rupees and where the offence is continuing or recurring one with a further fine which may extend to rupees one hundred for every day after the date of first conviction during which the offender is proved to have persisted in such offence.
13. No Suit or other legal proceedings shall be brought against any member of the Authority for any act done or purported to have been done by him in good faith in the performance of his duties as such member nor shall he be personally liable for any act or omission of the said Authority. Immunity of members
14. The Authority may, with the approval of the Government from time to time, frame bye-laws for regulating its Power of frame bye-laws

procedure or for management and control of the fair or for levying any fee or other charges.

15. (1) The State Government may be notification in the Official Gazette, make rules for carrying out the provision of this Act. Power to make rules
- (2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely :-
- (a) travelling and daily allowance payable to the non-official members;
  - (b) salaries and allowance payable to the officers and other employees and other terms and condition of their service;
  - (c) sanitation in the mela area;
  - (d) to provide safeguard against the out break or spread of fire;
  - (e) providing for the safety of building and structures set-up in the trade fair area and of articles brought into the fair;
  - (f) prescribing conditions subject to which huts and other structures may be constructed including limits to the height of such huts or structures and the area on which they are to be built and distances between them;
  - (g) restricting the use of fires for cooking or for any other purpose;
  - (h) any other matter which is required to be or may be prescribed.
- (3) Every rule made under this Act shall be laid as soon as may be after it is made before the Legislative Assembly.
16. On and from the date of commencement of this Act, Qawad Mela Va Numaish Gwalior, 1934 and any other law for the time being in force on the subject shall stand repealed. Repeal
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