

राजस्थान सरकार
निदेशालय स्थानीय निकाय विभाग, राजस्थान, जयपुर
(जी-3, राजमहल रेजीडेन्सी, सिविल लाईन फाटक के पास, जयपुर)

क्रमांक एफ.15(ग)/पीडी/डीएलबी/NULM-SUSV/2014/8455-643 दिनांक: 16.5.2016

महापौर/सभापति/अध्यक्ष,
नगर निगम/परिषद्/पालिका,
समस्त, राजस्थान।

विषय :- राजस्थान स्ट्रीट वेण्डर्स (आजीविका संरक्षण एवं पथ विक्रेता नियमन) नियम-2016 के तहत ड्राफ्ट योजना पर सुझाव बाबत।

महोदय,

उपरोक्त विषयान्तर्गत जैसा कि आपको विदित है राज्य में केन्द्रीय स्ट्रीट वेण्डर्स (आजीविका संरक्षण एवं पथ विक्रेता नियमन) अधिनियम-2014, मई 2015 से प्रभावी हो गया है, जिसके तहत राज्य में राजस्थान स्ट्रीट वेण्डर्स (आजीविका संरक्षण एवं पथ विक्रेता नियमन) नियम-2016 भी फरवरी 2016 से प्रभावी हो गये। इन नियमों के तहत पथ विक्रेताओं के लिए योजना तैयार की जानी है, जिसका ड्राफ्ट विभाग द्वारा तैयार किया गया है, जिस पर आपके सुझाव/टिप्पणी महत्वपूर्ण है।

अतः ड्राफ्ट योजना की प्रति संलग्न कर निवेदन है कि संलग्न ड्राफ्ट पर अपने सुझाव/टिप्पणी दिनांक 31.05.2016 तक आवश्यक रूप से विभाग को भिजवाने का श्रम करावें, जिससे उन पर नियमानुसार कार्यवाही की जा सके। उक्त तिथि तक कोई सुझाव/टिप्पणी प्राप्त नहीं होने पर ड्राफ्ट योजना पर आपकी सहमति मान ली जावेगी।

संलग्न :- ड्राफ्ट योजना की प्रति।



(पुरुषोत्तम बियाणी)
निदेशक एवं विशिष्ट सचिव

क्रमांक एफ.15(ग)/पीडी/डीएलबी/NULM-SUSV/2014/8644-832 दिनांक: 16.5.2016

प्रतिलिपि:-आयुक्त/अधिशायी अधिकारी, नगर निकाय, समस्त राजस्थान को भेजकर लेख है, कि निर्धारित तिथि तक महापौर/सभापति/अध्यक्ष से सुझाव/टिप्पणी भिजवाना सुनिश्चित करें।

(प्रीति माथुर)
परियोजना निदेशक



**Government of Rajasthan
Local Self Government Department**

No.

Jaipur, Dated

NOTIFICATION

In exercise of the powers conferred by section 38 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act No. 7 of 2014), the State Government, hereby, frames the following Scheme, namely:-

CHAPTER-I

Preliminary

1. Short title and commencement.-(1) This Scheme may be called the Rajasthan Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2016.

(2) This Scheme shall come into force on and from the date of its publication in the Official Gazette.

2. Definitions.-(1) In this scheme, unless the context otherwise requires,-

(a) "Act" means the Street Vendors (Protection) of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act No. 7 of 2014);

(b) "brown field development plan" means development plan of an area which is partly or mostly already developed;

(c) "form" means the form appended to this scheme.

(d) "green field development plan" means development of totally undeveloped area or with very insignificant development;

(e) "public purpose" in the context of the scheme includes,-

(i) widening of roads, streets, lanes;

(ii) shifting the alignment of roads, streets, lanes;

(iii) erecting flyovers with or without clover leaves and slip down roads;

(iv) erecting underpasses;

(v) development of land owned by public authorities for some public projects;

(vi) laying of water, storm water or sewer lines;

- (vii)erecting intermediate pumping stations for the services;
- (viii)any project related with public transport like BRTS, Metro, etc;
- (ix)erection of Economically Weaker Section (EWS) Housing;
- (x)Creation of parks, Gardens and Recreational Area;
- (xi)Conservation of any eco-system resource in that area and
- (xii)any other developmental work taken by the local authority, the beneficiary of which will be the community at large; and
- (f)"Scheme" means the Rajasthan Street Vendor (Protection of Livelihood and Regulation of Street Venders) Scheme, 2015 framed by the State Government under section 38 of the Act;
- (2)Adequate publicity of the proposed survey shall be made,-
 - (i) by placing a notice on the website of the Local authority and/or Town Vending Committee wherever the Town Vending Committee has its own website;
 - (ii)by publishing notice in two prominent local daily News Papers in Hindi Language; and
 - (iii) by placing copies of notice on the Notice Boards at the Head office of local authority as also on me Notice Board of its zonal offices.
- (3)The wards and expressions used in this scheme and not defined but defined in the Act shall have the same meanings as to them in the Act.

CHAPTER-II

The manner of conducting survey

- 3.The manner of conducting survey.**-(1)The Town Vending Committee shall get the survey conducted by its own staff or through a professional agency using, modern technology such as by using of mobile tablets etc. which may be able to indentify vendors and the space/ spot.
- (2)The survey of Street Vendors will be made by the following methods:-
- (i) Mobile based application;
 - (ii) GIS(Geographic information system);

- (iii) digitised photo census;
 - (iv) bio metric photo identity cards;
 - (v) survey to be conducted thrice in a day,-
 - i.e. 7am to 12 pm in the morning
 - 2 pm to 6 pm in the afternoon,
 - 6pm to 11 pm at night;
 - (vi) The survey team shall establish camp in the vending area for purposes of enlistment and recording of such of the detailed particulars of street vendors as may be required under this scheme and may be specified by the Town Vending Committee.
- (3) The mode of vending shall be clearly indicated. whether the particular vendor carries on his vending activities from,-
- (a) push cart/ *thela*;
 - (b) motorised vehicle;
 - (c) floor spread;
 - (d) rack or hanging frame mode;
 - (e) a cabin (*thadi*)
- (4) After collecting all the details as to space covered by the stationary vendors as also the area of operation of the mobile vendors, the things should be specifically marked on a map.
- (5) The area wise survey of the Vending Zones will be prepared by the survey team along with maps and shall be submitted to the Commissioner or Executive Officer, as the case may be, of the local authority for onward transmission to the chairperson of the Town Vending Committee.
- (6) Fresh survey shall be got conducted by the Town Vending Committee at the end of five years after previous survey.
- 4. Study and consideration of survey report before issue of certificate of Vending.-**
- The Town Vending Committee shall study and consider the survey Report and the chairman of the Town Vending Committee shall make arrangement for issuance of the certificate of vending to the eligible Vendors who may fulfill the the conditions and criteria as laid down in this scheme.

5. The Terms & conditions subject to which certificate of Vending may be issued.-

(1) The Street Vender, seeking License of Vending,-

- (i) should not have any other means of livelihood except Street Vending ;
- (ii) should not have any other Vending site in any other place;
- (iii) should not be below 18 years of Age;
- (iv) should carry the Vending himself/herself, if necessary assisted by any member or members of his/her family. Such family member should be at least 14 years of age.
- (v) will submit an undertaking in **form-c** to the Town Vending Committee to the effect that he/she will neither sell or transfer nor otherwise part with possession of space or Vending Certificate with respect to the vending activities to any other person in whatsoever manner;
- (vi) will supply two passport size photograph for affixing on the Certificate and another for record of Town Vending Committee and in case his/her spouse or dependent child, not below the age of 14 years, is also assisting him/her at vending site, photographs such person or persons should also be supplied which may also be affixed on the certificate and they may be added as persons assisting the Street Vender;

6. The criteria for issuing certificate of Street Vending to Street Vendors.- The Town Vending Committee shall ensure that following criteria is kept in view while granting Certificate of Vending to a Street Vendor:-

- (i) name of the Vendor should appear in the survey carried out by the Town Vending Committee;
- (ii) the same person should not have any other place as vending site: Provided that his Father/mother/wife or son/daughter (not below the age of 18 years) can have Vending site at different place.
- (iii) the vendor should not be engaged in any other occupation;
- (iv) the vendor should have completed the age of 18 years;
- (v) the vendor should furnish affidavit on Rs 10/- Non Judicial stamp undertaking, not to transfer the vending site or certificate of vending to others;

- (vi) the vendor should carry out vending activities himself or through members of family named in the vending certificate; and
- (vii) In the event of death of a Street Vendor, the Vending License may be transferred in favour of his legal heir having no license.
- (viii) the vendor has paid the fee and maintenance charges fixed by the Town vending Committee.

7. Issue of certificate of Vending to New Vendors, who wish to start Street Vending during intervening period of two surveys.-(1) The new vendors who intend to take up street vending during the intervening period of two surveys may apply to the Town Vending Committee through the local authority in the form specified in this scheme and the Town Vending Committee may consider his application and grant him Certificate of Vending in a vending area in case he is found to be eligible under the criteria fixed under this scheme and coupled with necessary formalities and pays the required fees.

(2) The Town Vending committee may issue certificate of vending to applicant sub-para (1) above only when the holding capacity of the particular vending zone may allow new vendors.

CHAPTER-III

Issue of Vending Certificate

8. Issue of vending certificate.-(1) Soon after completion of survey and consideration of survey report by the Town Vending Committee, all street vendors identified under the survey shall be considered for issue of a certificate of vending by the Town Vending Committee keeping in view para 5 & 6 of this scheme.

(2) Efforts shall be made to complete the process of issuing of vending Certificates to eligible vendors within a period of one hundred twenty days from the date of receipt of survey data by the Town Vending Committee. In case any delay occurs on completion of this process, the reasons therefor may be notified by the Town Vending Committee on its Notice Board and also publish notice in Local Hindi New Paper giving reasons of delay as also the period within which

the process of issuing certificates will be completed. By all means, all eligible vendors, identified during survey shall be granted certificates of vending within one hundred and eighty days from the date of receipt of data of survey.

- (3) The certificate of Vending to a Street Vendor shall be issued by the Town Vending Committee in Form 'A' and an identity card in Form 'B' appended this Scheme.

9. Validity period for a Vending certificate.- (1) The Certificate issued under para 8 of the Scheme shall be valid for a period of five years from the date of issue on payment of a fee as determined by Town Vending Committee under para 10 of this Scheme.

- (2) The Certificate so issued under para 8 of this Scheme shall be subject to renewal on payment of a renewal fee as determined by the Town Vending Committee.

- (3) The original certificate in Form 'A' will be used for renewal by putting a seal "Renewed upto.....and signed by the officer/authority of the Town Vending Committee of Local Authority.

10. Vending fees.-(1) The Town Vending Committee may determine, declare and charge vending fees from various categories of Street Vendors taking into consideration the income potential of the area for which certificate is being given. The vending fees may be different for different categories and different for different areas in a city or Town.

- (2) Vending fee shall be fixed by Town Vending Committee as per category of the street vendors, their income potential, keeping in view of the high foot fall area having better vending opportunity; that is to say the Town Vending Committee shall fix different rates for different categories of vendors and different for different vending zones.

- (3) The fee shall not be less than Rs 150/- per month and not more than Rs 1500/- per month for various categories of street vendors which could be different for different categories and different for different areas and also different for different cities/towns.

- (4) The fee so fixed by the Town Vending Committee shall be subject to revision every year in the beginning of the financial year subject to a minimum increase of ten percent every year.

- (5) The order revising the fee shall be published in Local News paper and also affixed on the Notice Board of the Town Vending Committee.
- (6) The renewal fee for certificate of vending may be determined likewise by the Town Vending Committee.

CHAPTER-IV

The manner and mode of collection of fee by the Town Vending Committee of the local authority

11. The manner and mode of collection of fee by the Town Vending Committee of the

Local authority.- (1) All taxes, fees and charges which may be leviable in accordance with the Act, rules and this scheme and which may be required to be collected by the Town Vending Committee or the local authority shall be collected by the Town Vending Committee or the local authority by means of electronic transfers into its accounts through Banks or in cash at its counters, at the counter of the Town Vending Committee or through any agency, appointed or specified from time to time by the local authority. The mode of collection of fee shall be decided by the local authority.

(2) The monthly fee as fixed by the Town Vending Committee may be collected yearly also if and the Town Vending Committee so desire and the monthly maintenance levied by the local authority for providing civic amenities to the street vendors under this scheme may also be realised or recovered on yearly basis if and when the local authority so desire.

(3) whenever the Town Vending Committee of local authority or the local authority may intend to realise the fee or charges on yearly basis, it may declare its intention to do so by publishing Notice in Local New papers and also affixing the notice on its notice Board.

12. Manner of renewal of vending certificate.- (1) Nearly three months before the date of expiry of the vending certificate, the street vender shall file on application for renewal of vending certificate in the office of Town Vending Committee along with renewal fee.

(2) An acknowledgement receipt will be given to the applicant and necessary entries thereof shall be entered in a Register maintained for the purpose.

- (3) The applications so received shall be examined and scrutinized in the office of the Town Vending Committee and thereafter shall be placed before Committee of the Town Vending Committee which may pass appropriate orders on that application.
- (4) The street vendors who fail to apply for renewal of vending certificate even after the expiry of the period of their certificate will be given one months time to file application for renewal of certificate without imposing any penalty for default. A list of such defaulters shall be affixed on the notice Board of the Town Vending Committee asking them to file application and deposit renewal fee along with a penalty of Rs25/-per day and on expiry of thirty days from the date of affixing the list of defaulters on the Notice Board of the Town Vending Committee, the officer in-charge, authorised by the Town Vending Committee for the purpose may issue show cause notice to the street vender asking him as to why his certificate may not be suspended or cancelled. When the street vendor does not respond to such show cause notice within the time specified, the matter may be put up before the Committee of the Town Vending Committee and the said committee shall pass appropriate orders thereon and there after the said orders shall be communicated to the street vendor when ever committee of the Town Vending Committee decides to suspend or cancel the certificate of vending .

13. Matters in which the certificate of vending may be suspended or cancelled.-

- (1) The certificate of vending of a street vendor shall be suspended or cancelled,-
- (a) if he is carrying out vending in an area or place not mentioned in his vending license;
 - (b) if he has mis-represented about age (minimum age being 18 years) for eligibility for obtaining vending certificate;
 - (c) if he has unauthorisedly increased the area allocated to him by or under the license and thus occupies additional space;
 - (b) if he is a vender of food stuffs , is found to be processing and selling food items without obtaining license therefor from the concerned authorities or getting registration under the FSSAI;

- (e) if he has constructed a permanent structure on the space allocated to him;
 - (f) if he has sold or given on lease the area allocated to him or otherwise parted with possession of the area or space to some other person;
 - (g) if he fails to get the certificate renewed after the expiry of term, more so after the expiry of grace period of one month with or without penalty and did not respond to the show cause notice;
- (2) where it is found that the street vendor has employed or engaged any child below the age of 14 years for the purposes of vending he shall be served with a show cause notice as to why his certificate of vending may not be cancelled and upon his explanation not being found to be satisfactory, his vending certificate will be cancelled. In case, his explanation is found to be satisfactory, he shall be issued a warning to desist from such acts. In case of second or subsequent incident of engaging or employing a child below 14 years of age for vending by a street vendor, action under Child Labour (Prohibition) Act, 2005 will be initiated.

14. Categories of street vendors.- (1) Broadly, street vendors may be categorised as under:-

- (a) stationary vendor,
 - (b) mobile vendors
- (2) They can also be categorised with reference to places from where they are operating, such as,-
- (i) natural market,
 - (ii) weekly markets,
 - (iii) heritage markets,
 - (v) Festival markets
 - (vi) seasonal markets.

15. Persons who may be given preference in matter of granting certificate of vending.- The following categories of permissions may be preferred while granting/issuing vending certificates in any given area:-

- (a) senior citizen;
- (b) physically challenged;
- (c) single mothers; and

(d)widows.

CHAPTER-V

Relocation or eviction of Street Vendors

16.Relocation of street vendors. when necessitated by exigencies of public purpose.-

(1) When re-location of a street vendor becomes necessary for sub-serving any public purpose,-

(i)the street vendor may be adjusted in the nearby place either temporally or permanently.

(ii)whenever the public purpose area is developed or constructed fully, the street vendor may be considered for that place to the extent possible if that area is retained as a vending zone.

(2)While acting for re-location of street vendors occasioned by exigencies of public purpose, the Town Vending Committee shall,-

(a)gather foot fall status of the area from which street vendor may be shifted due to exigencies of public purpose;

(b)to collect information about total number of vendors to be shifted;

(c)foot fall status of the alternative sites;

(d) carrying capacity of the alternative sites;

(e)likely availability of vending space after the project is completed;

(f)temporary allotment of sites for shifting the vendors may be done by lots;

(g)in case the number of vendors in the original site is more than the number which could be accommodated after the project is completed, allotment by lot can be adopted to;

(h)The vendors who are carrying on business from Government Land can either be placed in a plot vesting in the local authority or can be organised on the road depending upon the availability.

17.Manner of evicting street vendor.- (1) Whenever action for relocating or evicting a street vender is contemplated or evicting street vendor is contemplated under section 18 of the Act, the street vendor shall be served with a notice in writing to vacate the place,-

- (i) served with a notice in case he is to be relocated due to exigencies of public purpose;
 - (ii) temporarily, in case his certificate of vending has been suspended;
 - (iii) permanently, in case his certificate of vending has been cancelled by the Town Vending Committee;
 - (iv) in the case of a vendor who vends without obtaining a vending certificate.
- (2) The notice under sub-action (3) of section 18 of the Act shall be served by the local authority asking the vender to vacate the place/space within thirty days.
- (3) where the vendor fails to vacate the place/space area within the period specified in the notice, the local authority shall evict him physically by its staff and if necessary with the assistance of police and goods and material found with him at the place shall be seized.
- (4) In the matter of re-location of a street vender, if the street vender fails to vacate the place and re-locate at a place specified by the Town Vending Committee / local authority, after expiry of the notice specified in the notice served vender sub-para (1) besides evicting him physically, the local authority may be free to take action under laws relating to the local authority for violation of that law.

CHAPTER-VI

Seizer of Goods

18. Seizer of goods.- (1) Whenever the street vendor fails to vacate the place even after the expiry of period specified in the notice served on him under sub-section (3) of section 18 of the Act, the local authority, if it may deem necessary, may seize the goods of such street vendor.

(2) Whenever the goods are seized, the person authorised by the local authority shall cause a list of such goods prepared and put his signatures thereon and supply a copy of said list to the street vendor from whose possession the goods were seized.

19. Reclaiming of goods by street vendors.-(1) The Street vendor may reclaim the goods seized by the Town Vending Committee of the local authority,-

- (a) on the same day in case the goods are perishable; and
 - (b) within two working days in case the goods are non-perishable; by paying the dues or amount of penalty or default.
- (2) In case any person whose goods were seized on the ground that he was vending without a certificate of vending, his goods will be released on payment of a penalty not exceeding rupees five hundred.

CHAPTER-VII

The form and manner of carrying out social audit

- 20. The Form and manner of carrying out social audit.**-(1) The Town Vending Committee shall appoint a three member committee for carrying out social audit as envisaged under sub-section (3) of section 26 of the Act.
- (2) The social audit committee to be appointed under sub-rule (1) shall be independent body and consist of,-
- (a) an academicians in the field of sociology; and
 - (b) an eminent social activist; and
 - (c) a retired administrator.
- (3) The local authority will provide adequate staff, space and equipments to the committee for social audit,
- (4) The social audit shall be carried out once in every two years.
- (5) For the purpose of social audit, the Town Vending Committee shall make available to the social audit committee all details of relevant information sought by it including,-
- (i) the status of the implementation of the Act;
 - (ii) record of meetings of Town Vending Committee;
 - (iii) record of all registered street vendors;
 - (iv) information relating to all appeals made before the chairperson of the local authority;
 - (v) information relating to all grievances/disputes brought before the grievance Redressal committee.
 - (vi) information relating total number of evictions and confiscation of goods and re-location of street vendors during past two years; and

- (vii) records of previous social audit reports, if any, took place earlier.
- (6) The social audit committee shall conduct meetings of focused group discussions with the representatives of street vendors on various aspects of implementation of the Act and the scheme.
- (7) The social audit committee shall jot down the grievances of street vendor in writing on the specific difficulties faced by them in the course of street vending
- (8) At the conclusion of process of social audit the committee shall record its findings in writing.
- (9) The Social audit unit shall invite public participation by issuing public notice and holding a general meeting of the people including street vendors. The representatives of the local authority as well as members of the Town Vending Committee shall also attend that meeting and afford clarifications or explain factual position on the issues raised in the said meeting. Any gaps or lapses, in the implementation of law on street vending, brought to light in the meeting shall be noted by the member secretary of the Town Vending Committee and imitate correctives measures through the chairperson of the Town Vending Committee and if necessary through the concerned authority in the local authority. The Town Vending Committee and the local authority shall respond effectively to the desired corrective measures and immediate action to be taken to remedy the short comings. Action taken report shall be part of the record and shall be made public on the website of the local authority and other public information channels.

CHAPTER-VIII

Conditions under which private places may be designated as restriction free vending zones, restricted vending zones or no vending zones

21. Conditions under which private places may be designated as restriction free vending zones, restricted vending zones or no vending zones.- The local authority may consider the possibility of categorising and declaring , -

- (a) as restriction free vending zone,
- (b) restricted vending zone, or

(c) no vending zone,
on private land by reaching an arrangement with the title holders of such private lands by offering them incentives in the form of enhanced FS/or FAR in accordance with prevailing Building bye-laws of the local authority and allowing street vending on the ground floor area of the place whenever constructions are raised in the plot of land earlier being used by the street vendors when the same was lying vacant.

CHAPTER-IX

Maintenance of public health and hygiene by the Street vendors

- 22. Maintenance of public health and hygiene by the street vendors.-** (1) The Local authority shall specify the place where the street vendors shall discard their waste materials.
- (2)(i) The street vendors shall keep covered dustbins for disposing off waste materials generated by their vending activities.
- (ii) The water used and rendered waste shall be kept in a covered container which may be discharged at a place specified by the local authority.
- (3) The Local authority shall explore the possibility of providing,-
- (a) clean drinking water and street light facility at suitable points;
- (b) facility of toilets and urinals at selected places where foot fall is high;
and make suitable arrangement therefore wherever feasible.
- (4) Every Street Vendors shall keep a vending service record book in a format approved by the TVC which may be kept ready of for inspection notes by the staff of TVC or Local authority which may be record of his performance (praise worthy or liable for penalty).
- (5) It shall be the duty and an essential part of condition of street vending that the street vendors keeps the place of vending clean in a hygienic environment and he shall not throw waste materials or liquids including water on the street or other place of vending.

CHAPTER X

Nodal Officer for Coordination

23.State Level Nodal officer for Coordinating all matters relating to street vending.-

The State Government shall by order designate an officer of the Local self Government Department not below the rank of Additional Director to be the Nodal officer who shall convene half yearly meeting with the concerned officers of the local authority to get himself acquainted with the various issues pertaining to street vending in the State and also seek feed back from the representatives of the street vendors about problem faced by them and report the matter to the State Government for remedial measures

CHAPTER XI

Maintenance of Record

24.Maintenance of record of street vendors by TVC, local authority, planning authority and the State Nodal Officer.-(1)

The State Government shall endeavour to develop and install an online software for keeping the record of street vendors. Till such time the system is not developed, the record may be maintained manually as provided under the Rules and this scheme.

(2)The Local authority may be encouraged and assisted to enter data in the said on line software.

(3)The process of issuing of certificate of vending identity cards by the Town Vending Committee and renewal thereof may be generated on line.

(4)Hard copies such record may also be kept by the Town Vending Committee and the local authority.

(5)Planning authority may keep such data based on online software or information sought from local authorities for the purpose of future planning of the respective areas.

(6)The Nodal Officer of the State shall also keep necessary data at hand with him while convening half yearly meetings.

25. Vending on time sharing basis.- (1) Granting space for vending time on sharing basis, depending upon market needs, may be considered by the Town Vending Committee of the local authority after seeking prior approval of the local authority.

- (2) while making time sharing arrangement for granting vending certificate for limited period, proper guidelines may be framed by the Town Vending Committee that the place/space is vacated/cleaned by the former vendor before the commencement of timings of the later sharer.

CHAPTER XII

Principles for Determination of Vending Zones

26. Principle for determining vending zones.- (1) An intensity of foot fall, road width and density of vehicular traffic and pedestrian movement shall be basis of deciding vending and no-vending zones.

- (2) there shall be no totally restriction free vending zone in the City/Town and similarly no vending zones may be minimal.
- (3) the Town Vending Committee shall decide no vending zones and vending zones keeping in view the following:-
- (a) there shall be no restriction free vending zone in the City/Town. The holding capacity of the area would be the ultimate limit on the number of Street Vendors which can be positioned or allowed to operate in the area;
- (b) restricted vending zones need to be linked up with road width, keeping in view following aspects, namely:-
- (i) there shall be no stationary street vending on a road having width upto 9 meters: provided that such street vending may be allowed if such road is declared as one way vehicular road.
- (ii) there shall be only one side stationary vending on road having width between 12 to 24 meters;
- (iii) both side stationary vending may be allowed on road having width of 30 meters or above;
- (iv) the number of stationary street vendors to be accommodated in any designated vending area on the roads shall be decided by taking into consideration the holding capacity of a vending area or road.

- (v) due regard shall be paid to the smooth vehicular traffic and pedestrian movement while allowing stationary street vending on any road and due clearance may be taken from traffic police before allowing stationary vending on roads; and
- (vi) mobile vending on streets and roads may be allowed keeping in view the traffic and pedestrian movement.
- (c) the Town Vending Committee, while declaring no vending zones, may consider,-
 - (i) declaring no vending zones within 20 meters from crossing of Two or more roads on all sides; both sides of railways crossing ; declared heritage sites;
 - (ii) the Town Vending Committee may decide a distance to be kept free from stationary as well as mobile vending near the important institutions, like the State Secretariat, High Court, District Collectorate, District and Sessions Courts, zila parishad, Municipal Corporation/ Council/ Board offices State or ASI/ archeological Monuments etc.

27.Principles for determining holding capacity of vending zones and the manner of undertaking comprehensive census and survey.-

- (1) Two and a half percent of the population of the word or zone or Town or city, as the case may be, in accordance with plan for street vending shall be regarded as the holding capacity for accommodating the street vendors.
- (2) The holding capacity of vending zone will be according to the vending site divided by total area of the vending area.

CHAPTER XIII

Principles For Relocation of Street Vendors

28. Principles of relocation.- Following principles are to be followed in the matters of re-location of street vendor:-

- (a) Re-location may be resorted to only in exceptional situations when it is necessitated by exigencies of public purpose warranting use of location or place for projects of public purposes to which provisions of para 16 shall be applicable.

- (b) effected vendors shall be re-located at place or site at least to restore them to pre-evicted opportunities created by the infrastructure development projects at the site from which they were displaced and efforts should be made to accommodate the displaced vendors at the newly built up infrastructure to enable them to use of the livelihood opportunities created by the new infrastructure and such place is declared as a vending zone by the Town Vending Committee/Local authority. Till such time, the new infrastructure is fully operational, they can be accommodated at some offer suitable site where foot fall is similar to that from where they were displaced.
- (c) it may be ensured that loss of assets of the vendor are minimal in the process of re-location

CHAPTER XIV

Heritage Markets

- 29. Heritage markets.-** Where street vendors have conducted business for over fifty years in a natural market, that market may be declared by the local authority as heritage market in collaboration with the Tourism Department of the State and promote such markets as tourist markets.

CHAPTER XV

Development Plans

- 30. Development plans.-** The Town Vending Committee may evaluate street vending plans for existing vending zones termed as "brown field plan" and also keep in view the future areas where the places of street vending could be located and allowed for street vending which be categorised as "Green field development plan".

FROM -A
[Para 8 (3)of the scheme]

OFFICE OF THE TOWN VENDING COMMITTEE
MUNICIPAL CORPORATION...../MUNICIPAL
COUNCIL...../MUNICIPAL BOARD.....

CERTIFICATE OF VENDING FOR STREET VENDING

1. Name of the Vender.....

.....

2. Name of his/her spouse or.....
child (not below 14 years of age).....

if involved in vending.....
with the Vendor

3. Age and sex.....

4. Residential address of the Vendor.....

5. Category of Vending (mobile/stationary/ Natural/Weekly
etc).....

.....

6. Place of Vending with Category (market, park, bus stand, mall, historical site,
hospital etc.) of the place.....

7. Validity, 5 years from the date of issue of certificate.

8. Unique Registration No.....

9. Date of issue of Certificate.

photograph
of the
street
vender

photograph of
family
member of
the street
vender who
may assist in
vending

signature

()

Seal of the TVC

Name and designation
of the officer/Authority issuing
the certificate

FROM -B
[Para 8(3) of the Scheme]

IDENTITY CARD
(Street Vendor)

photograph
of street
vendor

1. Name of the street vender.....
.....
2. Age.....
3. Sex.....
4. Address of residence.....
5. Address of Vending site/area.....
6. Mobile phone number.....
7. Category of Vending.....
8. Municipal ward or zone number.....
9. Police Station.....
10. Validity period(State here the duration for which TVC is granted)
11. Date of issue of I-card.

signature

Seal of the TVC

Name and Designation
of the officer/ Authority
issuing the certificate

By the order of the Governor,

(Purushottam Biyani)
Joint Secretary to Government

on Rs.10/.....
Non. Judicial
Stamp

FORM-C

[See para-5(v)]

UNDERTAKING AND DECLARATION BY A STREET VENDOR*

I,wife / son / daughter of
Shri Registration / Certificate of Vending
No.....oftown vending committee, hereby
declare that the certificate of vending granted to me shall not be leased, rented, otherwise
transferred or alienated to any other person.

I, further declare that I am not engaged in any other business / not vending from any
other vending site / not employed with any organization.

Name and Signature of the Vendor:

Registration / Certificate of Vending Number:

Date:

Signature of Vendor

Place:

Address.....

.....

[*This should be duly attested by a Notary Public or a Magistrate]