

Simplified version of the draft scheme for street vending

[Sec. 38 of The Street Vendor (Protection of Livelihood and Regulation of Street Vending) Act, 2014]



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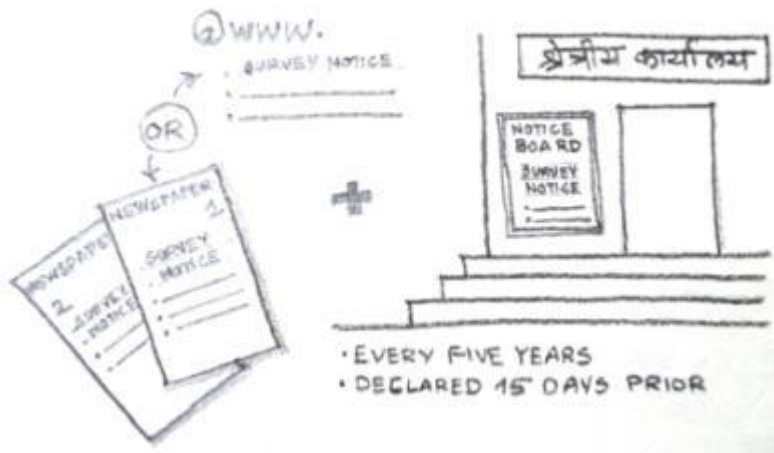
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CHAPTER I: Preliminary

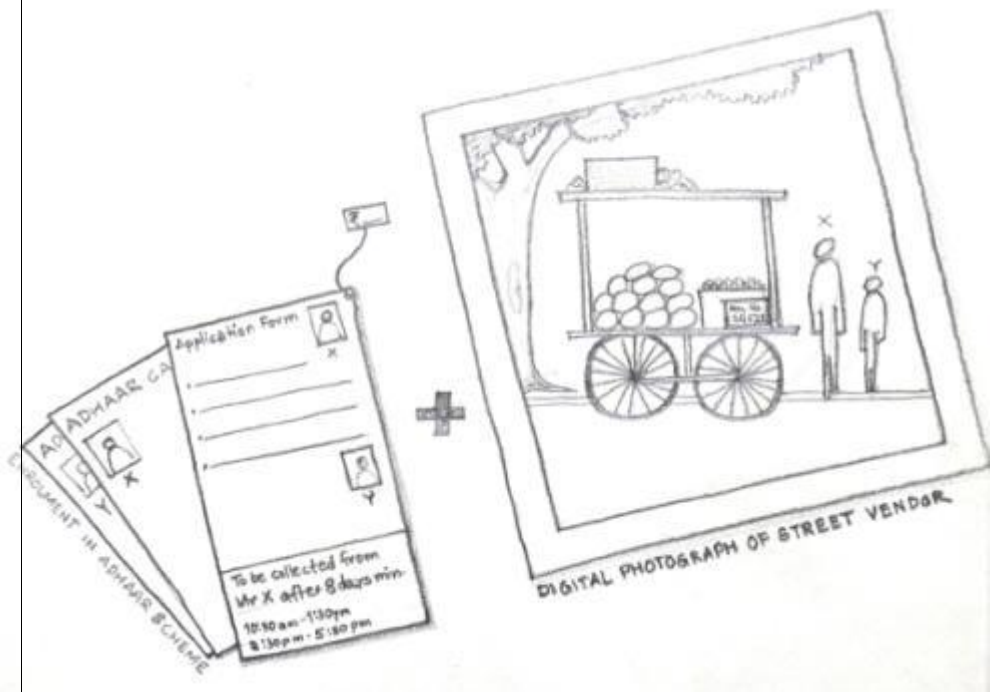
- This Scheme will apply to:
 - PMC limits
 - Railways

- Definitions
 - Act: The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014
 - Bye- Law: Prepared by Municipal Corporation under Sec 37
 - Eligible Street Vendor: Street Vendor eligible for Vending Certificate
 - Existing Street Vendor: Vendors street vending prior to 09.09.2013 or earlier survey
 - Family Assistant: Nominated family member of the principal vendor to conduct business
 - Licensing Authority: Officer designated by Municipal Commissioner to carry out functions mentioned under the Act/scheme/bye-laws.
 - Principal Applicant: Street vendor vending during survey and issued application form
 - Rules: Rules as per Sec 36 of this Act
 - Select list of Street Vendor: List prepared after initial scrutiny of applications
 - Unique number: Serial number on the application form



Chapter II: The Survey

- The survey to be
 - Conducted every five years in January after approval from Town Vending Committee
 - Declared at least 15 days prior to survey
 - Published on website, Ward office notice boards and 2 newspapers prior to commencement of survey
- Duration of 10 days, simultaneously in all Wards
- Survey Team
 - Numbers to be decided by Municipal commissioner
 - Headed by an appointed officer
 - May include members of local NGO/CBO/Resident Welfare Organization/ Traders Association/ representatives of street vendors
- Traditional weekly bazaars, each surveyed in additional 8 days
- Head of Department to provide list of existing vendors to Licensing Authority before commencement of survey



Chapter III: Methodology of Survey

- Team leaders shall obtain details of existing vendors
- Briefing meeting with team members regarding
 - Purpose and Programme of Survey
 - Site of survey
 - Application form (Annexure I)
- Record of forms
 - Distributed to the wards to be maintained by Municipal Commissioner
 - Distributed to vendors to be maintained by Licensing Authority in a proforma (Annexure 2)
 - Numbering scheme may have the abbreviated form of the ward, electoral ward and serial number of application form
- Commencement of Survey
 - Date to be fixed by Municipal Commissioner
 - Team leader shall
 - Distribute forms after 10 mins even if no other member is present
 - Hand over the form after filling details of street vendor
 - Record all details in proforma (Annexure 3)
 - Write application serial number in bold letters on slate/other material
 - **Take a photograph** of each Vendor with the product/services being offered, slate/other material with serial number and application form
 - Collect **application form fees** from each vendor and give receipt immediately
 - **Inform date and time to submit** filled forms with required original documents
 - **Download and earmark all survey photographs everyday**
- The in-charge of Street vending shall

- Collect total application form fees amount from all team leaders in the ward and deposited before 11:00 am of the next day
- Provide a daily report the number of application forms distributed and fees collected to Licensing Authority
- Minimum 8 days to be given between last day of distribution and first day of receipt of forms
- Submission of forms to be allowed by
 - The principal applicant in the survey photo

OR

 - Family assistant with his/her attached in the form
- Management measures to be considered
 - Crowd management
 - Teams may be interchanged with other Wards to receive application form
 - Token number/ time may be given to avoid overcrowding
- All documents should be stamped and signed as 'verified from original documents'
- Applicants shall be photographed with their form numbers
- Principal applicant (X) and Family assistant (Y) shall be made to enrol in Adhaar Scheme within 7 days of application form submission
- Application is to be a unique number
- If a vendor wants to apply in between two surveys, then principal applicant shall:
 - have no other source of livelihood
 - above 14 years of age
 - have no other member from the family in street vending

Chapter IV : Scrutiny and finalization of list

- Existing vendors and applications scrutinized and list prepared within 30 days of submission of applications
- Public notice given in at least two newspapers
- List to be displayed on website and ward office notice boards



Chapter V: Certificate of Vending and ID cards

- Certificate
 - To be issued within 30 days of finalizing the list
 - Valid for 5 years
 - Renewed every February with prescribed fees
- Certificate issued between surveys valid till next survey
- If lost, duplicate certificate/ID issued on application with prescribed fees
- Reason for refusal of certificate/renewal to be given in writing and communicated to the concerned vendor

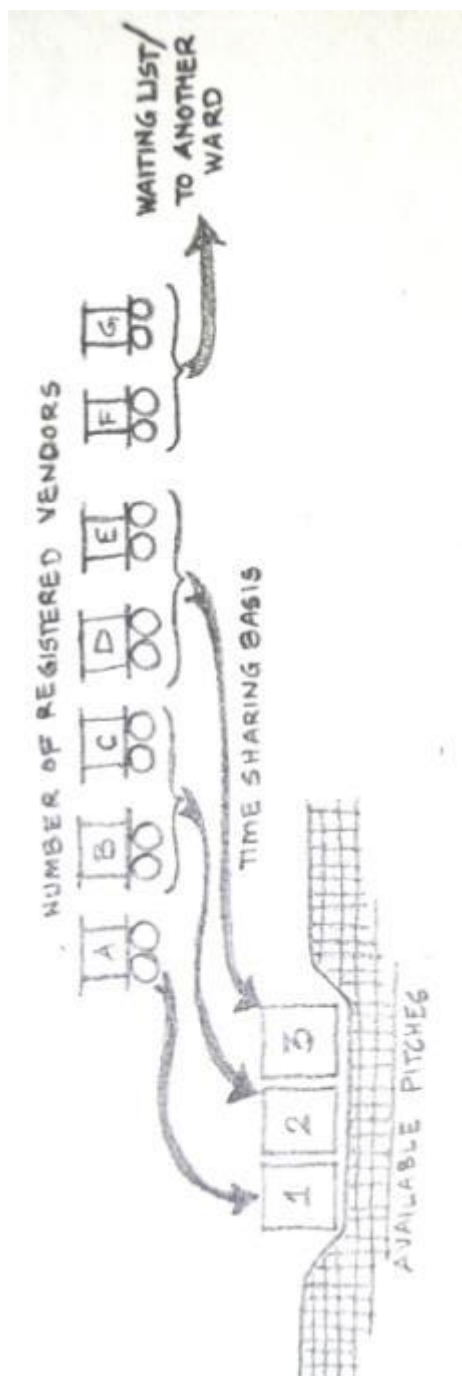
Rules for vendors



- Resident of the Municipal Corporation
- Vendor >14 years of age
- Only issued to vendors with no other source of livelihood
- Only principal applicant or family assistant to carry out the business
- Only in the place and time allocated for vending
- Maintain cleanliness and hygiene during and after vending time by gathering and throwing waste in public dust bins
- Business of goods specifically allocated only
- Cooperate with sweepers and maintenance/repair of utility services personnel.
- Display ID and keep certificate at the place of business during vending hours



- Display any advertisement
- Non-transferable and non-rentable
- Tamper drainage and water supply pipelines
- Commit electricity fraud
- Damage footpath and other public utilities
- Cook on street/footpath without prior permission
- Block access to fire hydrant and emergency services
- Alter the size of the stall/structure without permission
- Make loud noise during sale of produce/services
- Cover the allotted place unless permitted to do so during summer and rainy season



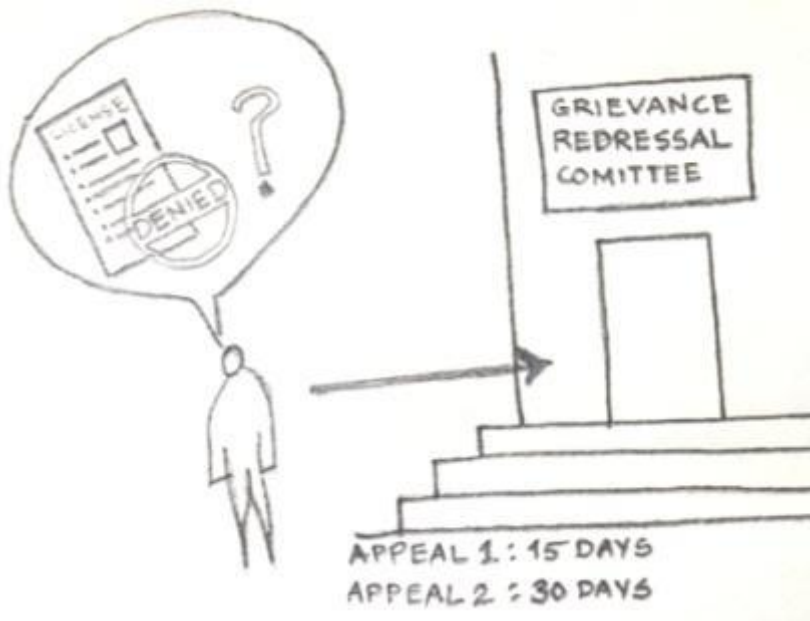
Chapter VI: Allotment of Pitch

- If, Number of registered vendors > Number of available pitches;
- Then, Municipal Commissioner/ Chief Officer may:
 - Accommodate street vendors on Time Sharing Basis with equal daily slots
 - Provide waiting list of additional vendors
 - Accommodate additional vendor in adjoining wards
 - Allow mobile vending in Parking slots and alongside footpaths on hourly basis with parking charges
 - Fill empty pitches with vendors from waiting list and with new applicants, if eligible

Chapter VII: Vending Fees

- Vending fees will be decided on:
 - Proximity to railway stations, markets, bus stops and other prominent places
 - Size of the allocated pitch
 - Nature of Goods sold
- Fees to be paid at Citizen Facilitation Centre or e-applications prepared by Municipal Corporation





Chapter VIII: Reservations for Socially and Economically backward classes and other category

- Pitches shall be reserved for
 - Minorities
 - Backward classes
 - Women
 - Disable people
 - Economically weaker sections
 - Farmers selling produce directly

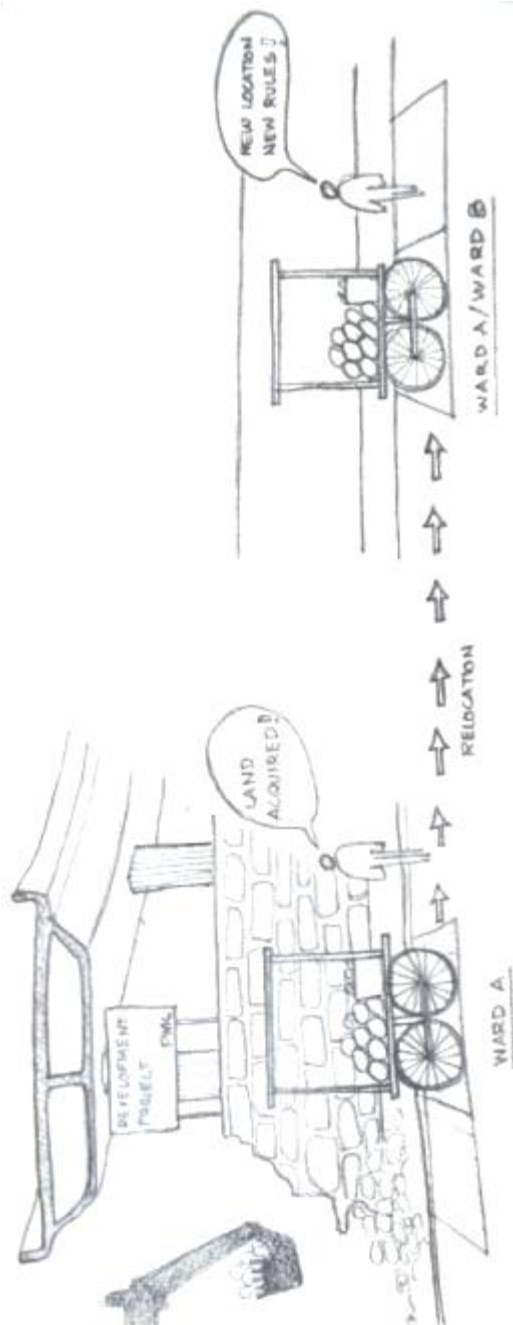
Chapter IX: Penalty and Appeal

- Street vendors periodically reviewed
- License may be suspended or cancelled, and one month fees may be forfeited partly or fully, if:
 - Vendor is absent for more than 30 days
 - Rules and Bye-laws are not followed
- License suspension or cancellation only upon prior notice and given the opportunity for the vendor to be heard
- Vendor may appeal against refusal of renewal within 15 days after the decisions to the Grievance Redressal Committee, with the right to be heard or represented properly
- Vendor may submit second appeal within 30 days of the rejection of the first
- Licensing Authority may file case for prosecution against any person or street vendor under any law



Chapter X: Category of Street Vendors

- Weekly Bazaar street vendor :
 - Only one day of the week
 - In specified place and time
 - Traditional/ newly created space
- Festival Street vendors:
 - Only during certain festival season/ fair/Urus/ social or religious event
- Night food courts Street Vendors:
 - Only after 6:00 pm
 - In specified areas which might be designated as Night Food Courts
- Weekend Street Vendors:
 - Vending in one or more areas
 - In areas which might be designated as Weekend Street Vending
- Agricultural Stalls:
 - For farmers to sell agricultural goods
 - Only in the place allocated



Chapter XI: Relocation of Street Vendors

- Relocation due to
 - Place acquired as per Land Acquisition Act 2013/ for municipal purposes or for public purpose from time to time
 - Conversion to Non-Vending zone for developmental works/ PMC resolution
 - Temporary shifting not exceeding 72 hours due to security/ disaster
- Notice for relocation
 - To be given 30 days prior for permanent relocation
 - To be given 24 hours prior for temporary relocation
 - Reasons communicated in writing
 - Sufficient time for shifting to be given
- Rules for translocation
 - Alternative pitch of same size to be provided in nearby areas within ward
 - If unavailable, similar pitch in similar area in adjacent ward to be provided
 - Vending fees of the relocated area applicable for such vendors
- For short relocation
 - To be accommodated in nearby area
 - If unavailable in nearby vending area, nearby non-vending zone to be designated as Vending zone and temporary pitches allotted
 - After the specified short period, vendors to return to place mentioned in Certificate of Vending
 - Vendors shall be liable for any penal action for contravention of any act/rule/scheme.
- List of reallocated pitches
 - List of allocated pitches to be displayed in ward office notice boards and websites
 - Public notice to be given in at least two newspapers

- Certificates of vending may also be modified and communicated with the vendors
- Licensing Authority
 - Consist of minimum three representative vendors under translocation
 - Provide details of proposed relocation site
- Priority in Developmental works
 - Heritage Markets
 - Where street vending carried out for more than 50 years to be designed as heritage markets
 - No relocation unless suitable alternative place allotted
 - If relocated due to development works, new livelihood opportunities shall be equally benefiting
 - If vendors are accommodated and livelihood generated in the development work project, Vending Certificate cancelled and made available to other eligible vendor
 - Town Vending Committee to monitor and provide suitable assistance/training to upgrade business opportunities for relocated vendors

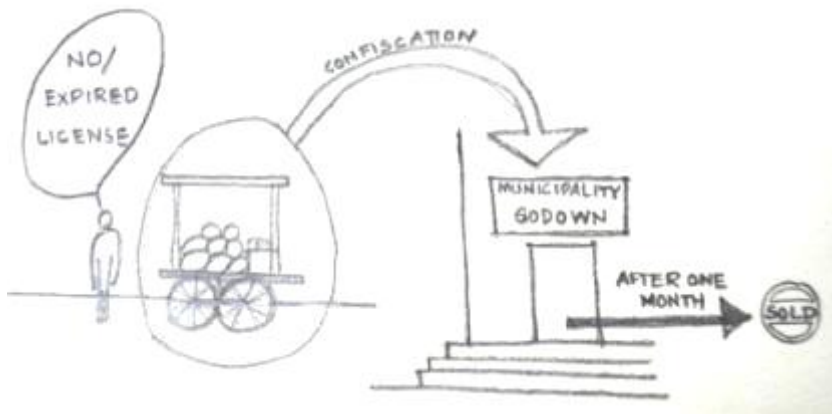
Chapter XII: Notice to Street Vendors

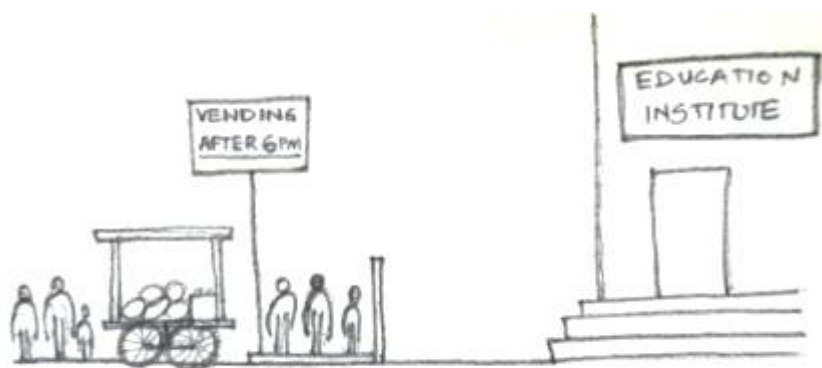
Street vendor shall be given notice for absence

- To Principle applicant (X)
- To family assistant (Y)
- To any adult in the family if both X and Y are absent
- By Post or email or message on mobile phone
- Pasting the notice at the residence and photographing it
- On notice board of licensing authority
- Public notice in newspaper

Chapter XIII: Seizure and Release of Goods

- Container, vessel, receptacle, vehicle (motorized/ non-motorized) and goods for vending shall be seized if
 - o Vendor does not have a License
 - o The license is expired
- Seized items shall be photographed before seizure
- Perishable items shall be released within 24 hours after payment of penalties
- Municipal corporation may sell confiscated items:
 - o If no claim is made for the perishable items
 - o In no claim is made for Non-perishable within one month of confiscation
- Physical inspection of storage godowns of confiscated items to be done every quarter year





RESTRICTED VENDING ZONE



NO VENDING ZONES

Chapter XIV: Audit and Maintenance of Record of Street Vendors

Social audit for street vending shall be undertaken every 5 years by committee comprising of:

- Member of All India Institute of Local Self Government
- Member of Education institute form humanities faculty
- Member from an NGO working on street vending or poverty alleviation
- Any other eminent person

Chapter XV: Principles of vending zones and holding capacity of zone

- Restricted vending zones:
 - o near educational institutes, government offices and other private working places after 6:00 pm;
 - o on crowded streets near railway stations and bus stops in non-peak hours
- No-vending zones:
 - o Near vital institutions of Government of India and Government of Maharashtra and other statutory or non-statutory organizations
 - o 50 meters of any junction, exit of any railway station and bus stop, hospitals and places of worship
 - o In case of places of worship, only items offered to the presiding deity
 - o Along the fanning of road turnings
 - o In front of entrances to shops, commercial or any building premises
 - o On roads where carriage way is less
- Vending Zone:
 - o Only on one side of footpath or road
 - o Non crowded bound roads adjoining railway stations and bus stops
 - o Footpaths larger than 10 feet
 - o Dead ends of roads and footpaths
 - o Unutilized parts near nallahs
 - o Vending zones for municipal purposes and market reservations

- In housing societies with due permission from planning authorities
- Any other suitable place where pedestrian or vehicle movement is not obstructed
- The licensing authority shall:
 - Conduct surveys of roads and footpath
 - Gather numbers of electoral poles on roads and bye-lanes
 - Mark area between two electric poles and 1X1 m pitches in available areas
- Pitches shall be created
 - While keeping the entrances of premises open
 - Only on one side of the road
 - Opposite side of the road on which there are maximum number of dwellings
 - With gap of 1 mt after each 10 pitches, except if along compound wall



Chapter XVI: Miscellaneous

- **Skill upgradation** maybe provided to street vendors by Town Vending Committee
- **Financial assistance** may be provided to vendors by Municipal Commissioner/Chief Officer after consulting with District Collector and lead bank
- **Medical assistance** to family members of street vendor may be provided in Municipal hospitals
- **Private place**
 - If private place to be declared as vending/ non-vending or restricted vending zone, notice to be issued to the owner by Municipal Commissioner/Chief Officer
 - Reasons and objections by the owner to be recorded in writing
 - Decisions to be notified to the owner in writing
- **Uniform** may be prescribed for one or more categories of street vendors
- **Temporary certificate**
 - For other category may be issued to street vendors except night food court vendors
 - Maximum validity for 30 days
 - May be extended by a month by Dy. Municipal Commissioner/Asst. Chief Officer
- **Agricultural goods** may be permitted to be sold by farmers for 3 days (max. 15 days) by Dy. Municipal Commissioner/Asst. Chief Officer
- **Dedicated zone for sale of particular commodity** may be developed by Municipal Commissioner/Chief Officer

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