

**MODEL DRAFT**

**THE STREET VENDORS  
(PROTECTION AND PROMOTION OF  
LIVELIHOOD)**

**BILL,**

**2007**

**GOVERNMENT OF INDIA  
MINISTRY OF HOUSING & URBAN  
POVERTY ALLEVIATION**

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THE STREET VENDORS (PROTECTION AND PROMOTION OF  
LIVELIHOOD) BILL, 2007

A

BILL

*to provide for protection of livelihood of urban street vendors and to  
promote vending trade and services provided by street vendors to  
the public and for matters connected therewith or incidental  
thereto.*

WHEREAS clauses (a) and (b) of article 39 of the Constitution stipulates that the State shall, in particular, direct its policy so that,-

(a) the citizens, men and women equally, have the right to an adequate means of livelihood; and

(b) the ownership and control of the material resources of the community are so distributed as best to sub-serve the common good;

AND WHEREAS urban street vendors form an important segment of the self employed in the unorganized sector and considerably add to the comfort of the general public by making available ordinary articles of everyday use at affordable prices and at convenient locations, nevertheless they live in constant insecurity of losing their livelihood due to the absence of recognition and promotion of their livelihoods by the authorities ;

AND WHEREAS the right of street vendors to carry out their trade or business need to be harmonized with the right of other

citizens;

NOW, THEREFORE, it is expedient to give recognition to the vital role played by the street vendors in the urban economy, recognize and legalize their status, promote a supportive environment for their activities and protect their livelihoods,;

BE it enacted by Parliament/Legislative Assembly of the State-----  
------(Name of the State) in the Fifty-eighth Year of the Republic of India as follows:—

## CHAPTER I

### PRELIMINARY

1. (1) This Act may be called the Street Vendors (Protection and Promotion of Livelihood) Act, 2007.

Short title, Extent  
and  
Commencement

(2) It extends to the whole of India/State------(Name of the State).

(3) It shall come into force immediately

Overriding Effect

1A. This Act shall have overriding effect over any other law judgment, decree or order inconsistent with this Act.

1B It is hereby declared and recognized that street vendors have a legal right to street vending.

Legal Right to  
Street Vending  
Definitions.

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

(a) “holding capacity” means the maximum number of street vendors accommodated in an orderly manner in any market, location, area or zone;

(b) “Landowning Authority” means any public authority, corporations or agencies which owns land in areas within the jurisdiction of the Local Authority to which the general public has general access, such as railways, state transport corporations, bus stations, hospitals and all other such authorities.

(c) “Local authority” means a Municipal Corporation or Municipal Council, Municipality, Nagarpalika or a Nagar Panchayat, or Gram Panchayat, by whatever name called, or a Cantonment Board or such other body legally entitled to function as a local authority in a city/town to provide civic services, regulate trade and also subsume the “planning authority” for the purpose of regulating land use in the city/town concerned.

(d) “mobile stall” means and includes push cart on wheels, a

vending structure attached to a bicycle, scooter, or any other light motorized vehicle or a light structure capable of being moved from place to place on a daily basis, but does not include a tempo, taxi or bus;

(e) “mobile vendor” means a person who sells goods or offers services, moving from place to place carrying wares on push cart or in bicycle or scooter or a light motorized vehicle or carrying basket on head, or in bags or contraptions attached to own body, or may sell wares in moving buses, trains, house to house carrying goods on a cart or on own body for regular or casual customers;

(f) “natural market” means a market cluster where vendors gather spontaneously in big or small numbers in response to the market demand;

(g) “notification” means a notification published in the Official Gazette;

(h) “prescribed” means prescribed by rules made under this Act by the Government;

(i) “planning authority” means a Urban Development Authority, Area Development Authority, Town Planning Authority and any other authority responsible for the master plan, development plan, zonal plan, layout plan or any other spatial plan, legally enforceable under the applicable Town and Country Planning/Urban Development/Municipal Act;

(j) “scheme” means a scheme framed by the under section 6;

(k) “specified” means as specified under a scheme;

(l) “state nodal officer” means an officer designated by the State Government to coordinate all matters relating to urban street vending in the State;

(m) “stationary vendor” means a person who offers goods or services in a particular spot by spreading his/her goods on the ground, or by operating from a mobile non-motorized redhi, lari, cart, riksha, but does not include a person operating from a permanent or semi-permanent structure.

(n) “street vendor” means a person engaged in retail trade or making available goods, wares, food items or merchandise or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or other public places and/or private areas from a particular spot by spreading his/her goods on the ground, or by operating from a mobile non-motorized redhi, lari, cart, riksha or by moving from place to place and includes hawker, peddler, squatter and all other local/region specific terms such as pheriwalla, rehri-patriwalla, footpath dukandar, toplavala, patharnavala, street trader and side-walk vendor, and includes both mobile vendors and stationery vendors;

Explanation: For the avoidance of doubt, the term “goods” referred to above includes food, drink and other edible items which are cooked or prepared at the spot from which the street vendor operates.

(o) “vending zone” alternatively called ‘hawking zone’, represents a location designated for the specific use by street vendors and hawkers, stationary or mobile, by the town vending committee and may include footpaths, side walks, pavements, embankments, portions of streets, waiting areas for public and semi-public land use or any place for carrying out such trades and providing services;

(p) “town vending committee” means the body constituted by the municipal authority under section 3.

(2) Any reference in this Act to any law which is not in force in any state /area shall, in relation to that state/ area, be construed as a reference to the corresponding law, if any, in force in that state/area.

## CHAPTER II

### TOWN VENDING COMMITTEE

Town Vending  
Committee.

3. (1) Each local/Municipal Authority shall, as soon as may be, constitute a Town Vending Committee (hereinafter referred to as the vending committee) with Municipal Commissioner/CEO as a chairperson and such number of members representing the Municipal Authority, Planning Authority, Traffic Authority, Traffic Police, local Police, association of street vendors, banks and any other interests which, in the opinion of the Government, ought to be represented on the vending committee; The number of members in the committee should be not less than 10 and not more than 20. The term of official members shall be co-extensive with their office (ex officio) and the terms of non-official members shall be three years.

(2) The chairperson and the number of persons to be appointed as members from each of the categories specified in sub-section (1), the term of office and other conditions of service of, the procedure to be followed in the discharge of their functions by, and the manner of filling vacancies among, the members of the vending committee shall be such as may be prescribed:

Provided that the number of members to be nominated to represent the street vendors shall not be less than one-third of the total number of members and one-third of such members shall be from among women vendors.

(3) The local/Municipal Authority shall provide to the vending committee office, space and such officers and other employees with such salary and allowances and terms and conditions of service and all other necessary infrastructure as may be prescribed.

(4) The Vending Committee shall -

(a) Subject to the provisions of Section 9, demarcate the area under the jurisdiction of the Local Authority into vending and no-

vending zones based on as the following factors:

- (i) necessity of the general public for particular goods and services;
- (ii) proximity to other commercial establishments;
- (iii) number of people using different public places at different times;
- (iv) number of existing street vendors operating in a particular area

The total area to be demarcated as vending zones shall be sufficient to accommodate a number of street vendors equivalent to or greater than 2.5% of the population of the area under the jurisdiction of the Local Authority.

(b) maintaining, in such manner as may be prescribed, the records of land, street, footpath, embankment, waiting area, parks and other public places which may be suitable and appropriate for vending or designation as vending zones;

(c) conducting annual/periodic surveys/census to assess the actual numbers of street vendors, type of trade and, by vending location in the ward/wards concerned and register them suo moto;

(d) determining quantitative norms regarding the amount of space to be provided for different categories of stationary stalls in vending Zones after survey and evaluation of actual needs of vendors providing different kinds of goods and services to the public.

(e) assessing the holding capacity of particular areas for street vending type of trade, date, day or timings in a day, at regular intervals;

(f) designating, in consultation with local/municipal authority and planning authority and on recommendation of ward vending committee, “vending zones” and “no vending Zones.”;

(g) temporarily designating vendors markets such as weekly haats or night bazaar whose use at other times may be different and facilitating the organisation of vending festivals on pre-determines holidays;

(h) granting registration certificates to street vendors on specified terms and conditions. Issuing of identity cards, renewing, suspending or canceling registration certificate to street vendors in accordance with procedures as may be specified;

(i) fixing by rules registration fees/levies, in consultation with the municipal authority and notifying the manner of collection of such fees/levies through banks and post office.;

(j) ensuring adequate civic amenities, including water, sanitation, waste management, electricity, to be provided in the vending zones and vending clusters by the local/municipal authority;

(k) monitoring the services/activities of street vendors, quality of products and services being provided to the public, public health, hygiene and safety standards maintained;

(l) ensuring allotted vending spaces, stationary or mobile, actually in accordance with the terms and conditions specified and taking necessary action to space which are found rented out/sub rent, transferred or given to benami holders and unrelated persons;

(m) promoting awareness and access of street vendors to

affordable credit through institutional mechanisms such as micro credit, schemes of banks and governmental agencies;

(n) fixing appropriate penalties for digression of norms regulating the activities of street vendors and notifying the manner of collection of such penalties;

(o) facilitating access of street vendors to insurance and other social security schemes: death, illness, disability, group insurance, maternity benefits, old age pension;

(p) helping street vendors to organize themselves into associations and self help groups to promote their common interests and social welfare responsibility;

(q) organize training programmes to build entrepreneurship and technical and business skills among street vendors, improve the quality of their products and services ;

(r) redressing grievances and resolving any disputes arising amongst the street vendors and third parties including local/municipal and

planning officials and policemen on matters relating to street vending;

(s) providing for structural mechanism to enable the entire process of planning for recognition of street vendors to run their enterprises for urban poverty alleviation.

(5) The Vending Committee shall prepare and publish its annual reports of its activities, planning, budget accounts in such manner and form as may be prescribed.

(6) In towns having population above 5,00,000, the Municipality shall form Ward Level Committees and following shall be the powers and functions .

- (a) assessing the holding capacity of particular areas for street vending type of trade, date, day or timings in a day, at regular intervals;
- (b) Recommend to the town vending committee in consultation with the Municipal authority and planning authority the areas to be declared as vending and non vending zones.
- (c) Recommend to the town vending committee temporarily designating vendors markets such as weekly haats or night bazaar whose use at other times may be different and facilitating the organization of vending festivals on pre-determines holidays;
- (d) monitoring the activities of street vendors, quality of products and services being provided to the public;
- (e) promoting awareness and access of street vendors to affordable credit through institutional mechanisms such as micro credit, schemes of banks and governmental agencies; (o) facilitating access of street vendors to insurance and other social security schemes: death, illness, disability, group insurance, maternity benefits, old age pension;
- (f) helping street vendors to organize themselves into

associations and self help groups to promote their common interests and social responsibility;

- (g) Organize training programmes to build entrepreneurship and technical and business skills among street vendors, improve the quality of their products and services ;

Appellate  
Authority

### CHAPTER III APPEALATE AUTHORITY

4. There shall be an appellate authority and its terms shall be as per Supreme Court Judgment Case No Writ petition (civil) 1699 of 1987, Sudhir Madan and Others v/s Municipal Corporation of Delhi and others Order dtd 17/05/07 , para 6. (this needs to be spelled out as per judgment)

Transparency  
procedures

### CHAPTER IV TRANSPERANCY PROCEDURES

5. Appointment of non official members of the Vending Committee:

Persons to be appointed as non official members of the Vending Committee must satisfy the following minimum qualifications:

- (a) They must be affiliated with an organization working for the benefit of street vendors;
- (b) Such organization must have been registered as a trust, cooperative, trade union, society or any other form of registrable organization as allowed under law;
- (c) Such organization must have been registered in accordance with sub-section 5 (b) for a consecutive period of three years or more; and
- (d) Such organization must have complied with the provisions of the relevant law under which it is registered with regard to conducting audits and filing returns.

In addition to satisfaction of the minimum qualifications mentioned above, the Local Authority shall take into consideration and give preference to the following criteria when nominating persons affiliated with organizations established for the benefit of street vendors:

- (a) organizations having a record of working for the benefit of street vendors for a greater number of years;
- (b) organizations having a larger number of street vendors as their members, beneficiaries or affiliates;

Demarcation  
of vending  
Zones

6. Demarcation of Vending Zones

- (a) The Town Vending Committee shall demarcate vending zones

and holding capacity in accordance with the criteria laid down in Section 3 (4) (a) and Section 3 (4) (e) respectively.

- (b) The Town Vending Committee shall specify in writing the manner in which the holding capacity of a particular area and each vending zone satisfies and is in conformity with Section 6 (a) above. In addition, the Town Vending Committee shall specify in writing why the other areas over which its jurisdiction extends have not been demarcated as vending zones.
- (c) The reasons in writing specified in Section 6 (b) above shall be put up on the website of the Local Authority and shall be freely available to any person at the offices of the Local Authority or at any other location that the Local Authority might specify.
- (d) The Local Authority shall invite objections to the demarcation of vending zones and no-vending zones and the declaration of holding capacity by giving notice of the same and calling for objections in not less than two local newspapers. Such notice shall appear in the local newspapers for a consecutive period of not less than seven days.
- (e) Within a period of thirty days from the notice first appearing in the local newspapers as specified in Section 6 (d) above, any person may give their objections to the Town Vending Committee. If required, the Town Vending Committee may designate panel consisting of three or more members of the Town Vending Committee to hear oral objections.
- (f) The Town Vending Committee may modify the demarcation of vending zones and non-vending zones and the declaration of holding capacity after hearing objections. Within sixty days of the period specified in Section 6 (e) above, the Town Vending Committee shall specify in writing their modifications, along with their reasons in writing for such modification or non-modification.

Publications  
of list

## 7. Publication of Lists

- (a) Within sixty days of the commencement of registration in accordance with Chapter V, the Town Vending Committee shall publish registration lists showing the names of all street vendors who have been registered. This list shall be affixed in not less than three public places specified by the Town Vending Committee. The registration lists shall be updated every 90 days.
- (b) Within sixty days of the commencement of licensing in accordance with Chapter VI, the Town Vending Committee shall publish license lists showing the names of all street vendors who have been licensed. This list shall be affixed in not less than three public places specified by the Town Vending Committee. The license lists shall be updated every 90 days.

Rejection of  
licenses

## 8. Rejection of Licences

Whenever the Town Vending Committee declines to grant a license to any person in accordance with Chapter VI, it shall inform the person

in writing of its reasons for so doing.

## CHAPTER V

Registration  
of Street  
Vendors

### REGISTRATION OF STREET VENDORS

**9.** Subject to the provisions of this Act, any street vendor working in the urban area or wishing be vendor shall be registered as a street vendor under this Act, and shall be entitled to the benefits provided by the provisions of this Act.

Procedure of  
Registration of  
Street Vendors.

**10.** (1) Every street vendor who has completed the age of 18 years, and carrying the retail trade as street vendor or make available goods, articles of use or offer services to the public shall be eligible to register him with the vending committee for regulation of retail trade.

(2) An application for registration shall be made to the vending committee or an officer authorized by vending committee in such manner, form and with such fee as may be prescribed.

(3) Every application under sub-section (2) shall be accompanied with such documents, as may be prescribed.

(4) The following categories shall be disqualified from registration

- a. persons owning/occupying shops or establishments
- b. Perons with criminal records
- c. Persons with regular, formal sector jobs.

(5) As soon as the act is enacted the actual vendors shall be immediately registered

(6) On coming into effect of this Act the municipal bodies will start the implementation process with a transparent and reliable method of identification of existing street vendors by commissioning a comprehensive photo-census/survey by independent agency with a credible track-record.

## CHAPTER VI LICENSEING

Procedure of  
getting license

**11.** (1) Every street vendor vending at the time of the enactment of the act shall be given a pitch if she/he is a stationary vendor and mobile license if she/he is a mobile vendor.

(2) If the vending committee is satisfied that the vendor has

complied with the provisions of this Act and the rules made there under, he shall register the name of street vendor:

(a) license for existing vendors shall be provided within the period of three months after registration provided that the vending committee is satisfied that the applicant is a bona-fide vendor. at the time of applying for licence a street vendor will provide the following details:

(b) Exact spot from which he/she has operated, with names and particulars of adjoining street vendors and details of goods sold. The street vending The following documents, prior to the Act coming into force, may be considered as proofs of bona-fide vendor:

- i. existing or previous license issued by local authorities
- ii. Summons, warrants, fine-receipts, public health fines etc.
- iii. Any receipts such as teh-bazaari or any other receipts issued by local authority
- iv. any photo, video etc. evidence.
- v. Any other documentary evidence as may be allowed by the vending committee.
- vi. In case the applicant does not have any of the above documentary proofs he/she will provide the following details at the time of application of license:

- a. Number of years he/she has been vending
- b. The exact spot/area from which he/she has been operating, along with names and particulars of 2 neighboring vendors, residents or service providers
- c. The nature of his business and details of goods or services he/she sells.

vii. On receipt of this information the town vending committee will send an inspection team within fifteen days of the application which will go and verify the particulars provided by the applicant by site inspection, and bring back photographic proof of the particulars given by the vendors.

viii. The inspection team shall provide an on the spot receipt of verification to the concerned vendor.

**Procedure for redressal for non registration**

**12.** Any street vendor aggrieved by the decision with reference to registration under sub-section (4) may, within thirty days from the date of such decision, prefer an appeal to the vending committee or any other higher officer specified by the vending committee in this behalf and the decision of the vending committee or such other higher officer shall be final.

**Terms of trade**

**13** The street vendor registered under sub-section (1) may carry on a retail trade or make available of goods or articles of use or other services to the public in such area/zone in accordance with such terms and conditions as may be specified.

**Restriction for obtaining license**

**14.** A person shall be entitled to get license himself only for one vending spot. He shall have no right to either rent /sub rent or sell that spot or

transfer the same to another unrelated person or benami holder.

**15.** Certain percentage of license shall be reserved for the

**Reservation for particular categories**      disadvantage categories like women, disabled, senior citizens

**Choice of trade**      **16.** If a street vendor is restricted to carry on his trade on a spot, there shall not be restriction on him to carry on another trade of his choice on the spot.

## CHAPTER VII

### SCHEME FOR STREET VENDING

**Scheme for Street Vending.**      **17.** (1) For the purposes of this Act, the Local Authority shall frame, by notification, a scheme which may provide for all or any of the following matters, namely:-

(a) the norms of spatial planning to be adopted by the planning authority for earmarking adequate space for street vendors in the master plan, zonal development plan, layout plans and their plans provided that the amount of space so allocated shall not be less than 2.5%.

(b) the principles of determination of 'vending', and 'no vending' zones in streets and public places;

(c) the conditions under which private places can be designated as 'vending' or 'no vending' zones by the local/municipal authority;

(d) the principles of determination of holding capacity or maximum number of street vendors and stalls which can be allowed in a particular street or public place by the vending committee;

(e) the manner of grant, renewal, suspension or cancellation of a registration certificate for a street vendor and issue of identity card to street vendors.

(f) the manner of levy and collection of fees for the grant and renewal of a registration certificate and fines for contravention of the provisions of this Act;

(g) the terms and conditions for street vending, stationary and mobile in different streets and public places;

(h) the designation of State Nodal Officer for coordination for all matters relating to street vending at the state level;

(i) the manner of maintenance of proper records and other -

documents by the vending committee, municipal authority, planning authority and State Nodal Officer in respect of street vendors;

(j) any other particulars which may be considered by the Local Authority proper to be included in the scheme.

(2) The TVCs shall formulate schemes for weekly markets, the criteria for such markets would be as follows:

- i) Weekly markets to be held in areas which have traditionally been having weekly markets.
- ii) Weekly markets to be held particularly on the day when the normal markets or establishments of that area are closed
- iii) The size of vending site for each vendor will not be more than 6\*4 open.
- iv) The timings of the weekly markets should be decided according to the actual timings of the bazaars which would inter alia include the needs of the people who depend on these bazaars further still the timings for summer and winters should be different.
- v) Regular collection of teh bazaari by Municipality/Local Authority
- vi) Irrespective of the title of land/street/road/area, which may belong to any other land owning agency, the over all control on weekly bazaars will be of the Municipality/Local

(3) A summary of the scheme notified by the Local Authority under sub-section (1) shall be published by each local/municipal authority in at least two local news papers in such manner as may be prescribed.

## CHAPTER VIII

### ROLE OF MUNICIPAL AUTHORITY

Role of  
Municipal/  
local  
authority

**18** (1) The local/Municipal authority shall be responsible for:-

(a) overall supervision and monitoring of the Scheme and effective functioning of the vending committees;

(b) provision of sufficient civic facilities to street vendors and Vendors' Markets in consultation with the vending committees, including:

(i) solid waste disposal,

(ii) public toilets to maintain cleanliness,

(iii) electricity,

(iv) drinking water,

(v) shelter to protect street vendors and their wares,

(vi) storage facilities, beautification, placement of signages and,

(vii) other facilities as needed by street vendors.

(c) fixation of fees/levies to be charged from street vendors for purposes of registration, use of space, availing civic services and manner of their collection, in consultation with the vending committee as per scheme;

(d) allocation of staff and budget to each Planning Committee, vending committee subject to a minimum annual grant and that at least 50/100? per cent of the fees and fines collected by a Committee is passed on to it for discharging various functions effectively.

(2) each local/Municipal authority, as the case may be, in consultation with the vending committees concerned, shall undertake comprehensive digitized, photo census and survey of the existing number of vendors by engaging competent professional institutions in order to draw up a realistic plan for accommodating all of them in a rational and citizen-friendly manner.

(3) The survey and census count under sub-section (2) may involve the following steps, namely:-:

(a) ward by ward, cluster-by-cluster, street-by street, market-by-market mapping of the area where the vendors are located in each city/town.

(b) comprehensive survey and census count of weekly markets held in different parts of the city or town on different days.

(c) photographic digitized census count of street vendors and their location with the collection of information in such formats as may be specified.

(4) The entire database of street vendors shall be duly notified, put on the municipal website and updated at regular intervals.

(5) The local /Municipal authority may accord preference to registered street vendors in the allotment of shops in regular markets whenever licenses are issued for setting up new shops and market complexes, depending on the length of registration.

Explanation.—The concerned vendor shall surrender his registered vending spot on such an allotment.

## CHAPTER IX

### ROLE OF PLANNING AUTHORITY

**19.** (1) The Planning Authority shall be responsible for—

Role of Planning Authority

(a) determining spatial planning norms for adequate street vending, balancing the interests of the street vendors and the general public with regard to use of streets and public places; It should take care of natural markets and needs of the society and requirement of street vendors.

(b) earmarking sufficient space for vending zones/Vendors' Markets in the master plan, zonal development plans, layout plans and other plans defining the extent of streets or areas for particular vending activities;

(c) monitoring the functioning of the vending committees with

regard to promotion regulation of vending in accordance with regard the planning norms;

(d) discharging any other function or duty which may be assigned by the ~~appropriate~~ Government, from time to time to promote the welfare and interest of the street vendors.

(2) Planning Authority as soon as may be, shall notify adequate spaces for accommodating street vendors in designated vending or hawking zones amending the city/town master plan, zonal development plan layout plans and other plans, taking into account the needs of both stationary and mobile vendors.

(3) The demarcation of vending zones shall be specific to the requirements of each town or city, sufficient for existing demand for street vendors' goods and services, as well as space for likely increase in tune with the anticipated population growth.

(4) To make the spatial plans conducive and adequate for the prevalent number of street vendors of the respective city/town and future growth, taking into account the following norms, namely:—

(a) the natural propensity of the street vendor to locate in certain places at certain times in response to patterns of demand for their goods and services.

(b) to create space for new entrants to the street vending occupation with the natural expansion of the town/city for allocation through a transparent mechanism such as the credible and reliable draw of lots.

(c) to promote optimum utilization of space by defiling “holding capacity” of different areas to accommodate the maximum possible vendors without compromising the legitimate requirements of vendors, road users and aspects of public health and hygiene,

(d) to divide a city/town into vending and non vending zones.

(e) consult with vendors associations, in working out zoning and notifying the same in a manner as may be prescribed.

## CHAPTER X

### SELF REGULATION

Self-Regulation.

**20.** The street vendors shall individually and collectively promote the norms of civic discipline by institutionalizing mechanisms of self-regulation in matters of public hygiene, disposal of waste and providing free passage to the public both in the individually allotted areas as well as vending clusters with a collective responsibility for the entire vending/hawking zone or cluster.

## CHAPTER XI

### OFFENCES AND PENALTIES

- 21.** No street vendor shall,—
- Offences.
- (a) operate without a registration certificate,
  - (b) vend or hawk beyond the designated area or the designated time,
  - (c) sell goods or offer services detrimental to public health,
  - (d) Violate the terms and conditions of vending including health and safety norms involved in food processing and storage as laid down by the concerned authority.
- Penalties.
- 22.** Appropriate penalties and procedures shall be formulated by the Vending Committees, in consultation with the concerned local/Municipal Authority and Planning Authority, subject to such limits as may be prescribed.

## CHAPTER XII

### PROMOTIONAL MEASURES, RESEARCH AND TRAINING

- 23.** The State Government/local authorities shall undertake promotional measures of social security, availability of credit, insurance and other welfare programmes for street vendors in consultation with their associations or unions, Vending Committees, Municipal/local authority and Planning Authorities. It may also give directions to the vending committees in this regard so as to ascertain their involvement.
- Promotional Measures.
- 24.** The State Government shall , to the extent of availability of financial and other resources,—
- Research, Training and Awareness.
- (a) develop and organize capacity building programmes for street vendors and on how to exercise the rights contemplated under this Act;
  - (b) undertake research, education and training programmes to advance knowledge and understanding of the role of the informal sector in the economy, in general and street vendors, in particular and to raise awareness among the public through vending committees.

CHAPTER XIII  
FOOD VENDORS

Right of the vendors to cook and prepare the food and vend

~~25. The Vendors who prepare and cook the food and vend shall be allowed to vend~~

Measures for the vendors who cook and prepare the food and vend

**26. (a)** ~~The town vending committee may shall lay down proper frame appropriate rules to be complied with by street vendors who prepare food or other edible items as their business measures in order~~ to maintain cleanliness, hygiene and safety\_.

(b) The town Vending committee ~~shall may~~ carry ~~the-out~~ spot inspections to ~~see-ensure~~ that ~~the-measuressuch rules specified~~ are observed by ~~suchthe street~~ vendors.

Delegation of Powers.

~~(c) In case of non-compliance by any street vendor for three continuous spot inspections, the town Vending Committee may revoke the license of such street vendor.~~

CHAPTER ~~IV~~X  
MISCELLANEOUS

**27.** Vending committee by general or special order, delegate to the chairperson or any other member or to secretary or any other officer subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and duties under this Act as it may deem necessary.

Returns.

**28.** Every vending committee shall furnish from time to time to the State Government/municipal authority/local authority such return as they may require.

Protection of Action Taken in Good Faith.

**29. (1)** No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made there under.

(2) No prosecution or the legal proceeding shall lie against the State Government, any vending committee or committees constituted under this Act or any member of such vending committee or any officer or employee of the Government or any vending committee or any other person authorized by the Government or any vending committee for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made or issued there under.

Power to Remove Difficulty.

**30. (1)** If any difficulty arises in giving effect to the provisions of this Act, the State Government may by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be, after

it is made, be laid before the House of State Legislative Assembly.

Power to Make Rules.

**31.** (1) The State Government may after consultation with the vending committee, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) The number, qualification and procedure of selection of chairperson and members of the committee under sub-section (2) of section 3;
- (b) the salary and allowances, the terms and conditions of service of the chairperson and members of the committee and the manner of filling casual vacancies under sub-section (3) of section 3;
- (c) the form and manner of preparing annual reports and accounts of the committee under sub-section (5) of section 3;
- (d) the parameters and form and manner of development of the scheme for street vending under section 6;
- (e) the procedure to be followed by the local/municipal authority in the discharge of its functions relating to implementation of the scheme under section 7;
- (f) the procedure to be followed by the planning authority in the discharge of its functions relating to implementation of the scheme under section 8;
- (g) the procedures to be followed in dealing with matters such as relocation, compensation and rehabilitation of street vendors under section 9 and offences and levy and collection of penalties under sections 12 to 14.

(3) Every rule and scheme made under this Act shall be laid, as soon as may be after it is made, before the House of Parliament/State Legislature, while it is in session, for total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or scheme should not be made, the rule or scheme shall thereafter have effect only in such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or scheme.

Saving of Certain Laws.

**32.** Nothing contained in this Act shall affect the operation of any corresponding law in a state providing welfare schemes which are more beneficial to the street vendors than those provided for them by or under this Act

