AS INTRODUCED IN LOK SABHA

Bill No. 104 of 2012.

THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) BILL, 2012

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Bill No. 104 of 2012.

THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) BILL, 2012

A

BILL

to protect the rights of urban street vendors and to regulate street vending activities and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short title, extent, commencement and provisions.

1. (*1*) This Act may be called the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2012.

(*2*) It extends to the whole of India except the State of Jammu and Kashmir.

(*3*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different States and any reference in any provision to the commencement of this Act shall be construed in relation to any State as a reference to the coming into force of that provision in that State.

(*4*) The provisions of this Act shall not apply to any land, premises and trains owned and controlled by the Railways under the Railway Act, 1989. 5

24 of 1989.

Definitions.

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

(*a*) "appropriate Government" means,—

(*i*) in relation to the lands owned or controlled by the Central Government, the Central Government; 10

(*ii*) in relation to the lands owned or controlled by the State Government, the State Government;

(*iii*) in relation to lands owned or controlled by the Union territory Administration, the Union territory Administration;

(*iv*) in relation to any other land, the authority empowered to make law with respect to such land under any law for the time being in force; 15

(*b*) "holding capacity" means the maximum number of street vendors who can be accommodated in any vending zone;

(*c*) "local authority" means a Municipal Corporation or a Municipal Council or a Nagar Panchayat, by whatever name called, or the Cantonment Board, or as the case may be, a civil area committee appointed under section 47 of the Cantonment Act, 2006 or such other body entitled to function as a local authority in any city or town to provide civic services and regulate street vending and includes the "planning authority" which regulates the land use in that city or town; 20

41 of 2006.

(*d*) "mobile vendors" means street vendors who carry out vending activities in designated area by moving from one place to another place vending their goods and services; 25

(*e*) "natural market" means a market where sellers and buyers have traditionally congregated for more than a specified period for the sale and purchase of specific products or services and has been determined as such by the local authority; 30

(*f*) "notification" means a notification published in the Official Gazette and the term "notify" shall be construed accordingly;

(*g*)"planning authority" means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable Town and Country Planning Act or the Urban Development Act or the Municipal Act; 35

(*h*) "prescribed" means prescribed by rules made under this Act by the appropriate Government; 40

(*i*) "Schedule" means the Schedule annexed to this Act;

(*j*) "scheme" means a scheme framed by the appropriate Government under section 40;

(*k*) "State Nodal Officer" means an officer designated by the State Government to co-ordinate all matters relating to urban street vending in the State; 45

(*l*) "stationary vendors" means street vendors who carry out vending activities on regular basis at a specific location;

(*m*) "street vendor" means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area or from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;

(*n*) "Town Vending Committee" means the body constituted by the appropriate Government under section 22;

(*o*) "vending zone" means an area or a place or a location designated as such by the local authority for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending activities and providing services to the general public.

(*2*) Any reference in this Act to any enactment or any provision thereof, shall, in relation to an area in which such enactment or such provision is not in force be construed as a reference to the corresponding law, if any in force in that area.

CHAPTER II

Registration of street vendors

Application for registration.

3. (*1*) Every person who has completed the age of fourteen years, or as the case may be, the age prescribed by the appropriate Government, and intends to do street vending, may make an application to the Town Vending Committee for registration as a street vendor.

(*2*) Every application under sub-section (*1*) shall be made in such form and manner, accompanied by such documents and one time fees, as may be specified in the scheme.

Registration of street vendors and issue of certificate of registration.

4. (*1*) The registration of all street vendors who make application under section 3 shall be made by the Town Vending Committee within such period, and in such manner, as may be specified in the scheme.

(*2*) The Town Vending Committee shall not summarily reject any application without giving the applicant an opportunity to rectify deficiencies, if any, and affording him an opportunity of hearing.

(*3*) Where, on the completion of the period specified under sub-section (*1*), if the applicant does not receive any response about the deficiencies in his application or the rejection of his application, he shall be deemed to have been registered.

(*4*) If the Town Vending Committee, or any officer authorised by the Town Vending Committee, is satisfied that the application made under section 3 is in accordance with the provisions of this Act and the rules or schemes made thereunder, he shall issue a certificate of registration to the applicant with a serial number assigned to it.

Persons not to engage in street vending without obtaining certificate of vending.

5. No person shall carry on or commence the business of street vending unless he holds a certificate of vending issued under this Act:

Provided that a person who has been issued a certificate of vending before the commencement of this Act (whether as a stationary vendor or a mobile vendor or under any other category) shall be deemed to be a street vendor for that category for the period for which he has been issued such certificate of vending.

Issue of certificate of vending.

6. (*1*) Subject to the provisions of section 5, the Town Vending Committee or any officer authorised by the Town Vending Committee may, subject to such conditions and restrictions as may be specified in the scheme, issue a certificate of vending to every street vendor who has been registered under section 4.

(*2*) The certificate of vending referred to in sub-section (*1*) shall be issued under any of the following categories, namely:—

(*a*) a stationary vendor; or

(*b*) a mobile vendor; or

(*c*) any other category as may be prescribed. 5

(*3*) The certificate of vending issued under sub-section (*1*) shall be in such form, and issued in such manner, as may be specified in the scheme and specify the vending zone where the street vendor shall carry on his vending activities, the time limit for carrying on such vending activities and the conditions and restrictions subject to which he shall carry on such vending activities. 10

(*4*) Every street vendor who has been issued certificate of vending under sub-section (*1*) shall be issued identity cards in such form and manner as may be specified in the scheme.

Criteria for issuing certificate of vending.

7. The criteria to be followed by the Town Vending Committee for issuing certificate of vending to a street vendor shall be as specified in the scheme, which may, apart from other things, provide for preference to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, women, persons with disabilities, minorities or such other categories as may be prescribed. 15

Vending fees.

8. Every street vendor who has been issued certificate of vending shall pay such vending fees as may be specified in the scheme.

Validity and renewal of certificate of vending.

9. (*1*) Every certificate of vending shall be valid for such period as may be specified in the scheme. 20

(*2*) Every certificate of vending shall be renewable for such period, in such manner, and on payment of such fees, as may be specified in the scheme.

Cancellation or suspension of certificate of vending.

10. (*1*) Where a street vendor who has been issued a certificate of vending under this Act commits breach of any of the conditions thereof or any other terms and conditions specified for the purpose of regulating street vending under this Act or any rules or schemes made thereunder, or where the Town Vending Committee is satisfied that such certificate of vending has been secured by the street vendor through misrepresentation or fraud, the Town Vending Committee may, without prejudice to any other fine which may have been incurred by the street vendor under this Act, cancel the certificate of vending or suspend the same in such manner as may be specified in the scheme and for such period as it thinks fit: 25 30

Provided that no such cancellation or suspension shall be made by the Town Vending Committee unless an opportunity of hearing has been given to the street vendor.

Appeal from decision of Town Vending Committee.

11. (*1*) Any person who is aggrieved by any decision of the Town Vending Committee with respect to registration under section 4 or issue of certificate of vending under section 6 or cancellation or suspension of certificate of vending under section 10 may prefer an appeal to the local authority in such form, within such period, and in such manner, as may be specified in the scheme. 35

(*2*) No appeal shall be disposed of by the local authority unless the appellant has been given an opportunity of hearing. 40

CHAPTER III

RIGHTS AND OBLIGATIONS OF STREET VENDORS

Rights of street vendor.

12. (*1*) Every street vendor shall have right to carry on the business of street vending activities in the vending zones allotted to him in accordance with the terms and conditions mentioned in the certificate of vending and the scheme framed by the appropriate Government. 45

(*2*) Notwithstanding anything contained in sub-section (*1*), where any area or space, as the case may be, has been earmarked as no-vending zone, no street vendor shall carry out any vending activities in that zone.

13. Every street vendor, who possesses a certificate of vending, shall, in case of his relocation under section 18, be entitled for new site or area, as the case may be, for carrying out his vending activities as may be determined by the local authority.

Right of street vendor for a new site or area on relocation.

14. Where a street vendor occupies space on a time sharing basis, he shall remove his goods and wares every day at the end of the time-sharing period allowed to him.

Duty of street vendors.

15. Every street vendor shall maintain cleanliness and public hygiene in the vending zones and the adjoining areas.

Maintenance of cleanliness and public hygiene.

16. Every street vendor shall maintain civic amenities and public property in the vending zone in good condition and not damage or destroy or cause any damage or destruction to the same.

Maintenance of civic amenities in vending zone in good condition.

17. Every street vendor shall pay such periodic maintenance charges for the civic amenities and facilities provided in the vending zones as may be determined by the local authority.

Payment of maintenance charges.

CHAPTER IV

RELOCATION OF STREET VENDORS, THEIR EVICTION AND PROCEDURE FOR CONFISCATION OF GOODS

18. (*1*) The local authority shall, having regard to public nuisance or obstruction of movement of general public caused by the street vendors, or for any other public purpose, relocate such street vendors in such manner as may be specified in the scheme.

Relocation or eviction of street vendors.

(*2*) Where the local authority is satisfied that a street vendor has consistently failed to comply with his duties and obligations under the Act or the rules and the scheme made thereunder, evict such street vendor in such manner as may be specified in the scheme.

(*3*) No street vendor shall be relocated or evicted by the local authority from the site allotted to him unless he has been given seven days notice for the same in such manner as may be specified in the scheme.

(*4*) A street vendor shall be relocated or evicted by the local authority physically in such manner as may be specified in the scheme only after he had failed to vacate the site after the expiry of said period of notice under sub-section (*3*).

(*5*) Every street vendor who fails to relocate or vacate the site allotted to him after the expiry of the said period of notice shall also be liable to pay, for every day of such default, a penalty which may extend up to rupees five hundred as may be determined by the local authority.

19. (*1*) The local authority, in addition to evicting the street vendor under section 18, may, if it deems necessary, confiscate the goods of such street vendor in such manner as may be specified in the scheme.

Confiscation and reclaiming of goods.

(*2*) The street vendor whose goods have been confiscated under sub-section (*1*) may, reclaim his goods in such manner, and after paying such fees, as may be specified in the scheme.

CHAPTER V

DISPUTE REDRESSAL MECHANISM

20. (*1*) The local authority shall, for the purpose of disposing of an application received under sub-section (*2*), constitute a permanent committee consisting of a person who has been a sub-judge or a judicial magistrate or an executive magistrate and such other persons having such experience in natural market and street vending activities as may be prescribed.

Redressal of grievances or resolution of disputes of street vendors.

(*2*) Every street vendor who has a grievance or dispute may make an application in writing to the committee constituted under sub-section (*1*) in such form and manner as may be prescribed.

(*3*) On receipt of grievance or dispute under sub-section (*2*), the committee referred to in sub-section (*1*) shall, after verification and enquiry in such manner, as may be prescribed, take steps for redressal of such grievance or resolution of such dispute, within such time and in such manner as may be prescribed.

(*4*) Any person who is aggrieved by the decision of the committee may prefer an appeal to the local authority in such form, within such time and in such manner as may be prescribed.

(*5*) The local authority shall dispose of the appeal received under sub-section (*4*) within such time and in such manner as may be prescribed:

Provided that the local authority shall, before disposing of the appeal, give an opportunity of being heard to the aggrieved person.

CHAPTER VI

PLAN FOR STREET VENDING

Preparation of street vending plan.

21. (*1*) Every local authority shall, in consultation with the Planning Authority, once in every five years, make out a plan to promote a supportive environment for the vast mass of urban street vendors to carry out their vocation, which shall provide for matters contained in the First Schedule.

(*2*) The street vending plans prepared by the local authority shall be submitted to the appropriate Government and the appropriate Government shall determine the planning norms for street vendors and notify the street vending plan so submitted.

CHAPTER VII

TOWN VENDING COMMITTEE

Town Vending Committee.

22. (*1*) The appropriate Government may, by rules made in this behalf, provide for the term and the manner of constituting a Town Vending Committee in each local authority :

Provided that the appropriate Government may, if considers necessary, provide for constitution of more than one Town Vending Committee, or a Town Vending Committee for each zone or ward, in each local authority.

(*2*) Each Town Vending Committee shall consist of :—

(*a*) Municipal Commissioner or Chief Executive Officer, as the case may be, who shall be the Chairperson; and

(*b*) such number of other members as may be prescribed, to be nominated by the appropriate Government, representing the local authority, the planning authority, traffic police, local police, association of street vendors, market associations, traders associations, resident welfare associations, banks and such other interests as it deems proper:

Provided that the number of members nominated to represent the street vendors shall not be less than forty per cent.:

Provided further that one-third of such members shall be from amongst women vendors:

Provided also that representation shall be given to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and persons with disabilities.

(*3*) The Chairperson and the members nominated under sub-section (*2*) shall receive such allowances as may be prescribed by the appropriate Government.

23. The Town Vending Committee shall meet at such times and places within the jurisdiction of the local authority and shall observe such rules of procedure in regard to the transaction of business at its meetings, and discharge such functions, as may be prescribed.

Meetings of Town Vending Committee.

24. (*1*) The Town Vending Committee may associate with itself in such manner and for such purposes, as may be prescribed, any person whose assistance or advice it may desire, in carrying out any of the provisions of this Act.

(*2*) A person associated under sub-section (*1*) shall be paid such allowances as may be prescribed.

Temporary association of persons with Town Vending Committee for particular purposes.

25. The local authority shall provide the Town Vending Committee with appropriate office space and such employees as may be prescribed.

Office space and other employees for Town Vending Committee.

26. The Town Vending Committee may, in such manner and for such purposes, constitute such number of zonal vending committees and Ward Vending Committees as may be prescribed.

Constitution of ward vending committees.

27. (*1*) Every Town Vending Committee shall publish the street vendor's charter specifying therein the time within which the certificate of registration and the certificate of vending shall be issued to a street vendor and the time within which such certificate of vending shall be renewed and other activities to be performed within the time limit specified therein.

(*2*) Every Town Vending Committee shall maintain an up to date records of registered street vendors and street vendors to whom certificate of vending has been issued containing name of such street vendor, stall allotted to him, nature of business carried out by him, category of street vending and such other particulars which may be relevant to the street vendors, in such manner as may be prescribed.

(*3*) Every Town Vending Committee shall carry out social audit of its activities under the Act or the rules or the schemes made thereunder in such form and manner as may be specified in the scheme.

Publication of street vendor's charter and data-base and carrying out of social audit.

CHAPTER VIII

Duties of local authority

28. Notwithstanding anything contained in any other law for the time being in force, the local authority shall carry out such duties under the provisions of this Act as are provided in the Second Schedule.

Duties of local authority.

CHAPTER IX

Prevention of harassment of street vendors

29. No street vendor who carries on the street vending activities in accordance with the terms and conditions of his certificate of vending shall be prevented from exercising such rights by any person or police or any other authority exercising powers under any other law for the time being in force.

Prevention of harassment by police and other authorities.

CHAPTER X

Penal provisions

30. If any street vendor—

Penalty for contraventions.

(*a*) indulges in vending activities without a certificate of vending;

(*b*) vends beyond the designated vending zones or specified timings;

(*c*) contravenes the terms of certificate of vending; or

(*d*) contravenes any other terms and conditions specified for the purpose of regulating street vending under this Act or any rules or schemes made thereunder,

he shall be liable to a penalty for each such offence which may extend up to rupees two thousand as may be determined by the local authority.

CHAPTER XI

MISCELLANEOUS

Provisions of this Act, not to be construed as conferring ownership rights, etc.

31. (*1*) Nothing contained in this Act shall be construed as conferring upon a street vendor any temporary, permanent or perpetual right of carrying out vending activities in the vending zones allotted to him or in respect of any place on which he carries on such vending activity.

(*2*) Nothing contained in sub-section (*1*) shall apply to any stationery vendor, if a temporary leasehold or ownership right has been conferred on him by a lease deed or otherwise, in respect of a place at specific location where he carries on such vending activity in accordance with the provisions under any law for time being in force for carrying out such vending activity.

Returns.

32. Every Town Vending Committee shall furnish, from time to time, to the appropriate Government and the local authority such returns as may be prescribed.

Promotional measures.

33. The appropriate Government may, in consultation with the Town Vending Committee, local authority, planning authority and street vendors associations or unions, undertake promotional measures of making available credit, insurance and other welfare schemes of social security for the street vendors.

Research, training and awareness.

34. The appropriate Government may, to the extent of availability of financial and other resources,—

(*a*) develop and organise 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 the street vendors, in particular and to raise awareness among the public through Town Vending Committee.

Act to have overriding effect.

35. The provisions of this Act shall have effect notwithstanding anything inconsistent therein contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act:

Provided that where a State has enacted a law for protecting the livelihood of street vendors and regulation of street vending, and such State law is not inconsistent with this Act, then, the State Government may apply all or any of the provisions of this Act in the State.

Powers to delegate.

36. The appropriate Government may, by general or special order in writing, delegate such of its powers and functions under this Act (excluding the power to frame scheme under section 40 and power to make rules under section 38), as it may deem necessary, to the local authority or the Town Vending Committee or any other officer, subject to such conditions, if any, as may be specified in that order.

Power to amend Schedules.

37. (*1*) On the recommendations made by the appropriate Government or otherwise, if the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend the Schedules and thereupon the First Schedule or the Second Schedule or the Third Schedule, as the case may be, shall be deemed to have been amended accordingly.

(*2*) A copy of every notification issued under sub-section (*1*), shall be laid before each House of Parliament as soon as may be after it is issued.

38. (*1*) The appropriate Government may, by notification, make rules for carrying out the provisions of this Act. Power to make Rules.

(*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:—

5 (*a*) the age for street vending;

(*b*) any other categories of street vendors under sub-section (*2*) of section 6;

(*c*) other categories of persons under section 7;

(*d*) the persons and the experience such person shall have under sub-section (*1*) of section 20;

10 (*e*) the form and the manner of making application under sub-section (*2*) of section 20;

(*f*) the manner of verification and enquiry on receipt of grievance or dispute, the time within which and the manner in which steps for redressal of grievances and resolution of disputes may be taken under sub-section (*3*) of section 20;

15 (*g*) the form, the time within which and the manner in which an appeal may be filed under sub-section (*4*) of section 20;

(*h*) the time within which and the manner in which an appeal shall be disposed of under sub-section (*5*) of section 20;

(*i*) the term of, and the manner of constituting, the Town Vending Committee 20 under sub-section (*1*) of section 22;

(*j*) the number of other members of the Town Vending Committee under clause (*b*) of sub-section (*2*) of section 22;

(*k*) the allowances to Chairperson and members under sub-section (*3*) of section 22;

25 (*l*) the time and place for meeting, procedure for transaction of business at meetings and functions to be discharged by the Town Vending Committee under section 23;

(*m*) the manner and the purpose for which a person may be associated under sub-section (*1*) of section 24;

30 (*n*) the allowances to be paid to an associated person under sub-section (*2*) of section 24;

(*o*) the other employees of Town Vending Committee under section 25;

(*p*) the manner of, and the purposes for, constituting a zonal vending committee or ward vending committee and the number of zonal vending committees and ward 35 vending committees to be constituted under section 26;

(*q*) the manner of maintaining up to date record of all street vendors under sub-section (*2*) of section 27;

(*r*) the returns to be furnished under section 32;

(*s*) the manner of publishing summary of scheme under sub-section (*2*) of 40 section 40.

(*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, as the case may be, while it is in session, for a 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 45 session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or scheme or both Houses agree that the rule or scheme should not be made, the rule or scheme shall thereafter have effect only in such modified form or be of no effect, as the

case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or scheme.

Power to make bye-laws.

39. Subject to the provisions of this Act or any rule or scheme made thereunder, the local authority may make bye-laws to provide for all or any of the following matters, namely:—

(*a*) the regulation and manner of vending in restriction-free-vending zones, restricted-vending zones and designated vending zones; 5

(*b*) determination of monthly maintenance charges for the civic amenities and facilities in the vending zones under section 17;

(*c*) determination of penalty under sub-section (*5*) of section 18 and section 30;

(*d*) the regulation of the collection of taxes and fees in the vending zones; 10

(*e*) the regulation of traffic in the vending zones;

(*f*) the regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

(*g*) the regulation of civic services in the vending zones; and

(*h*) the regulation of such other matters in the vending zones as may be necessary. 15

Scheme for street vendors.

40. (*1*) For the purposes of this Act, the appropriate Government shall frame, by notification, a scheme which may specify all or any of the matters provided in the Third Schedule.

(*2*) A summary of the scheme notified by the appropriate Government under sub-section (*1*) shall be published by the local authority in at least two local news papers in such manner as may be prescribed. 20

Power to remove difficulties.

41. (*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty: 25

Provided that no order shall be made under this section after expiry of three years from the commencement of this Act.

(*2*) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

THE FIRST SCHEDULE

(*See* section 21)

Street vending plan

(*1*) The plan shall,—

(*a*) ensure that urban street vending activities do not lead to overcrowding and unsanitary conditions of public spaces, areas and streets and not impede the movement of the general public;

(*b*) ensure that the provision of space or area for street vending is reasonable and consistent with existing natural markets;

(*c*) take into account the civic facilities for appropriate use of identified spaces or areas as vending zones;

(*d*) promote convenient, efficient and cost effective distribution of goods and provision of services;

(*e*) such other matters as may be specified in the scheme to give effect to the street vending plan.

(*2*) The plan shall contain all of the following matters, namely:—

(*a*) determination of spatial planning norms for street vending;

(*b*) earmarking of space or area for vending zones;

(*c*) determination of vending zones as restriction-free-vending zones, restricted-vending zones and no-vending zones;

(*d*) making of spatial plans conducive and adequate for the prevalent number of street vendors in that city or town and also for the future growth, by adopting such norms as may be necessary;

(*e*) consequential changes needed in the existing master plan, development plan, zonal plan, layout plan and any other plan for accommodating street vendors in the designated vending zones.

THE SECOND SCHEDULE

(*See* section 28)

Duties of local authority

(*a*) overall supervision and monitoring of the scheme for street vendors;

(*b*) monitoring effective functioning of the Town Vending Committee;

(*c*) deciding appeals in respect of the registration, or issue of certificate of vending, or the cancellation or suspension of certificate of vending, of street vendors in the manner specified in the scheme;

(*d*) providing, in consultation with the Town Vending Committee civic services;

(*e*) determining in consultation with the Town Vending Committee, the manner of collecting, through banks, counters of local authority and counters of Town Vending Committee, fee for registration, use of parking space for mobile stalls and availing of civic services;

(*f*) undertake in consultation with the Town Vending Committee, comprehensive digitalised photo census and survey of the existing number of street vendors with the assistance of such experts and in such manner as may be specified in the scheme, for the purpose of accommodating street vendors within the holding capacity of the vending zones;

(*g*) ensure that no street vending activities is carried out in no-vending zone.

THE THIRD SCHEDULE

(*See* section 40)

Matters to be provided in the scheme for street vendors framed by the appropriate Government:—

(*a*) the form and the manner of making application for registration and the one time fees and the documents that may accompany such application;

(*b*) the period within which and the manner in which registration of street vendors may be made;

(*c*) the conditions and restrictions subject to which certificate of vending may be issued to a street vendor;

(*d*) the form and the manner in which the certificate of vending may be issued to a street vendor;

(*e*) the form and manner of issuing identity cards to street vendors;

(*f*) the criteria for issuing certificate of vending to street vendors;

(*g*) the vending fees;

(*h*) the period of validity of certificate of vending;

(*i*) the period for which and the manner in which a certificate of vending may be renewed and the fees for such renewal;

(*j*) the manner in which the certificate of vending may be suspended or cancelled;

(*k*) the form and the manner of filing appeal, the period within which an appeal may be filed;

(*l*) the public purpose for which a street vendor may be relocated and the manner of relocating street vendor;

(*m*) the manner of evicting a street vendor;

(*n*) the manner of giving notice for eviction of a street vendor;

(*o*) the manner of evicting a street vendor physically on failure to evict;

(*p*) the manner of confiscation of goods by the local authority;

(*q*) the manner of reclaiming confiscated goods by the street vendor and the fees for the same;

(*r*) the form and the manner for carrying out social audit of the activities of Town Vending Committee;

(*s*) the principles for determination of vending zones as restriction-free-vending zones, restricted-vending zones and no-vending zones;

(*t*) the conditions under which private places may be designated as restriction-free-vending zones, restricted-vending zones and no-vending zones;

(*u*) the principles for determining holding capacity of vending zones and the manner of undertaking comprehensive census and survey;

(*v*) the terms and conditions for street vending including norms to be observed for up keeping public health and hygiene;

(*w*) the designation of State Nodal Officer for co-ordination of all matters relating to street vending at the State level;

(*x*) the manner of maintenance of proper records and other documents by the Town Vending Committee, local authority, planning authority and State Nodal Officer in respect of street vendors;

(*y*) the manner of carrying out vending activities on time-sharing basis;

(*z*) any other matter which may be included in the scheme for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

Street vendors constitute an important segment of the urban population. Street vendors are those who are unable to get regular jobs in the remunerative formal sector on account of their low level of education and skills. They earn their livelihood through their own meagre financial resources and sweat equity.

2. Street vending provides a source of self-employment, and thus acts as a measure of urban poverty alleviation without major Government intervention. Street vending also acts as an instrument to provide affordable as well as convenient services to a majority of urban population and has a prominent place in the urban supply chain and are an integral part of the economic growth process within urban areas.

3. Given the pace of urbanisation and the opportunities presented through the development of urban areas, the growth of street vendors is likely to have an upward trend. It is vital that these vendors are enabled to pursue their livelihoods in a congenial and harassment free atmosphere.

4. Considering the significant contribution made by street vendors to the urban society as a whole, more specifically to the comparatively poorer sections, and to enable them to earn a livelihood through creation of good working conditions, without causing obstruction to the public, the Government of India brought out revised National Policy on Urban Street Vendors, 2009 which aims at securing right of the citizens to have adequate means of livelihood as enshrined in articles 14, 19(*1*)(*g*), 38(*2*), 39(*a*), 39(*b*) and 41 of the Constitution and fostering a congenial environment for the urban street vendors to carry out their activities, without harassment from any quarter. It also aims at providing a mechanism for regulation of street vending activities to avoid congestion on sidewalks and to ensure free flow of traffic on roads by a legislative framework to enable street vendors to pursue a honest living without harassment.

5. Thus, the proposed Bill is aimed at protecting the livelihood rights and social security of street vendors and regulation of urban street vending in the country and ensuring uniformity in the legal framework for street vending across States and Union territories. The proposed Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bill, 2012, *inter alia*, seeks to provide for the following, namely:—

(*a*) compulsory registration of every person intending to carry out street vending activities;

(*b*) issue of a certificate of vending and identity cards to street vendors;

(*c*) certain rights of street vendors;

(*d*) certain duties of the street vendors;

(*e*) constitution of Town Vending Committee in each local authority with minimum forty per cent. representation of street vendors, out of which one-third shall be women vendors and reasonable representation of the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and persons with disabilities;

(*f*) making of a plan for street vending once in every five years;

(*g*) framing of a scheme relating to street vending by the appropriate Government;

(*h*) redressal of grievances and resolution of disputes of street vendors;

(*i*) promotional measures for making available credit, insurance and other welfare schemes of social security for the street vendors;

(*j*) street vendors not to be prevented by any person or police or any other authority from exercising their right to vend when carrying on street vending in accordance with the terms and conditions of certificate of vending.

6. The Bill seeks to achieve the above objectives.

NEW DELHI;
The 31*st August*, 2012.

KUMARI SELJA

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. E-14015/1/2011-USD/FTS-2764, dated 31st August, 2012 from Kumari Selja, Minister of Housing and Urban Poverty Alleviation to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bill, 2012, recommends the introduction of the Bill in the House under article 117(1) and the consideration of the Bill under article 117(3) of the Constitution.

Notes on clauses

Clause 1 of the Bill seeks to provide the short title, extent and commencement of the proposed legislation.

Clause 2 of the Bill seeks to provide the definitions of the various expressions used in the proposed legislation.

Clause 3 of the Bill provides that every person who has completed the age of fourteen years or such other age as may be prescribed by rules by the appropriate authority, and intends to do street vending, may make an application to the Town Vending Committee for registration as a street vendor. It further provides that every such application shall be made in such form and manner, accompanied by such documents and one time fees, as may be specified in the scheme.

Clause 4 of the Bill provides for registration of all street vendors, who make application, by the Town Vending Committee within such period, and in such manner, as may be specified in the scheme.

Sub-clause (*2*) of the said clause 4 provides that the Town Vending Committee shall not summarily reject any application without giving the applicant an opportunity to rectify deficiencies, if any, and affording him an opportunity of hearing.

Sub-clause (*3*) thereof provides that if, on the completion of the specified period, the applicant does not receive any response about the deficiencies in his application or the rejection of his application, then, he shall be deemed to have been registered.

Sub-clause (*4*) thereof provides that if the Town Vending Committee, or any officer authorised by the Town Vending Committee, is satisfied that the application so made is in accordance with the provisions of the Act and the rules or schemes made thereunder, he shall issue a certificate of registration to the applicant with a serial number assigned to it.

Clause 5 of the Bill provides that no person shall carry on or commence the business of street vending unless he holds a certificate of vending issued under this Act. However, a person who has been issued a certificate of vending before the commencement of this Act (whether as a stationary vendor or a mobile vendor or under any other category) shall be deemed to be a street vendor for that category for the period for which he has been issued such certificate of vending.

Clause 6 of the Bill provides that the Town Vending Committee or any officer authorised by it may, subject to such conditions and restrictions as may be specified in the scheme, issue a certificate of vending to every street vendor who has been registered under clause 4.

Sub-clause (*2*) of said clause 6 provides that the certificate of vending shall be issued under any of these categories, namely, (*a*) stationary vendor; (*b*) mobile vendor; or (*c*) any other category as may be prescribed.

Sub-clause (*3*) thereof provides that the certificate of vending shall be in such form, and issued in such manner, as may be specified in the scheme and shall specify the vending zone where the street vendor shall carry on his vending activities, the time limit for carrying on such vending activities and the conditions and restrictions subject to which he shall carry on such vending activities.

Sub-clause (*4*) thereof provides that every street vendor who has been issued certificate of vending under sub-section (*1*) shall be issued identity cards in such form and manner as may be specified in the scheme.

Clause 7 of the Bill provides that the criteria to be followed by the Town Vending Committee for issuing certificate of vending to a street vendor shall be as specified in the scheme, which may, apart from other things, provide for preference to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, women, persons with disabilities, minorities or such other categories as may be provided by rules.

Clause 8 of the Bill provides that every street vendor who has been issued certificate of vending shall pay such vending fees as may be specified in the scheme.

Clause 9 of the Bill provides that every certificate of vending shall be valid for such period as may be specified in the scheme.

Sub-clause (*2*) of said clause 9 provides that every certificate of vending shall be renewable for such period, in such manner, and on payment of such fees, as may be specified in the scheme.

Clause 10 of the Bill provides that if a registered street vendor commits breach of any conditions mentioned in the certificate of vending or of any other terms and conditions specified under the Act or any rules or schemes made thereunder, or if the Town Vending Committee is satisfied that such certificate of vending has been secured through misrepresentation or fraud, the Town Vending Committee may cancel the certificate of vending or suspend the same in such manner as may be specified in the scheme and for such period as it thinks fit. However, such cancellation or suspension shall be made by the Town Vending Committee only after giving an opportunity of hearing to the street vendor.

Clause 11 of the Bill provides that any person who is aggrieved by any decision of the Town Vending Committee with respect to registration or issue of certificate of vending or cancellation or suspension of certificate of vending may prefer an appeal to the local authority in such form, within such period, and in such manner, as may be specified in the scheme.

Sub-clause (*2*) of said clause 11 provides that no appeal shall be disposed of by the local authority unless the appellant has been given an opportunity of hearing.

Clause 12 of the Bill provides that every street vendor shall have right to carry on the business of street vending activities in the vending zones allotted to him in accordance with the terms and conditions mentioned in the certificate of vending and the scheme framed by the appropriate Government.

Sub-clause (*2*) of said clause 12 provides that where any area or space has been earmarked as no-vending zone, no street vendor shall carry out any vending activities in that zone.

Clause 13 of the Bill provides that every street vendor who possesses a certificate of vending shall, in case of his relocation, be entitled for new site or area as may be determined by the local authority, for carrying out his vending activities.

Clause 14 of the Bill provides that where a street vendor occupies space on a time sharing basis, he shall remove his goods and wares every day at the end of the time-sharing period allowed to him.

Clause 15 of the Bill provides that every street vendor shall maintain cleanliness and public hygiene in the vending zones and the adjoining areas.

Clause 16 of the Bill provides that every street vendor shall maintain civic amenities and public property in the vending zone in good condition and not damage or destroy or cause any damage or destruction to the same.

Clause 17 of the Bill provides that every street vendor shall pay such periodic maintenance charges for the civic amenities and facilities provided in the vending zones as may be determined by the local authority.

Clause 18 of the Bill provides that the local authority shall, having regard to public nuisance or obstruction of movement of general public caused by the street vendors, or for any other public purpose, relocate such street vendors in such manner as may be specified in the scheme.

Sub-clause (*2*) of said clause 18 provides that **w**here the local authority is satisfied that a street vendor has consistently failed to comply with his duties and obligations under the Act or the rules and the scheme made thereunder, it may evict such street vendor in such manner as may be specified in the scheme.

Sub-clause (*3*) of said clause 18 provides that no street vendor shall be relocated or evicted by the local authority from the site allotted to him unless he has been given seven days notice for the same in such manner as may be specified in the scheme.

Sub-clause (*4*) of said clause 18 provides that a street vendor shall be relocated or evicted by the local authority physically in such manner as may be specified in the scheme only after he had failed to vacate the site after the expiry of said specified period of notice.

Sub-clause (*5*) of said clause 18 provides that every street vendor who fails to relocate or vacate the site allotted to him after the expiry of said period of notice shall also be liable to pay, for every day of such default, a penalty which may extend up to rupees five hundred as may be determined by the local authority.

Clause 19 of the Bill provides that the local authority may, in addition to evicting of the street vendor, if deems necessary, confiscate his goods in such manner as may be specified in the scheme.

Sub-clause (*2*) of said clause 19 provides that the street vendor, whose goods have been so confiscated, may reclaim his goods in such manner, and after paying such fees, as may be specified in the scheme.

Clause 20 of the Bill provides for redressal of grievances or resolution of disputes of street vendors. It provides that the local authority shall, for the purpose of disposing of application received for redressal of grievances or resolution of disputes of street vendors, constitute a permanent committee consisting of a person who has been a sub-judge or a judicial magistrate or an executive magistrate and such other persons having such experience in natural market and street vending activities as may be prescribed.

Sub-clause (*2*) of said clause 20 provides that every street vendor who has a grievance or dispute may make an application in writing to the committee in such form and manner as may be provided by rules.

Sub-clause (*3*) thereof provides that on receipt of any grievance or dispute, the committee shall, after verification and enquiry in such manner, as may be provided by rules, take steps for redressal of such grievance or resolution of such dispute, within such time and in such manner as may be provided by rules.

Sub-clause (*4*) thereof provides that any person who is aggrieved by the decision of the committee may prefer an appeal to the local authority in such form, within such time and in such manner as may be provided by rules.

Sub-clause (*5*) thereof provides that the local authority shall dispose of the appeal within such time and in such manner as may be provided by rules. However, the local authority shall, before disposing of the appeal, give an opportunity of being heard to the aggrieved person.

Clause 21 of the Bill provides that every local authority shall, in consultation with the Planning Authority, once in every five years, make out a plan to promote a supportive environment for the vast mass of urban street vendors to carry out their vocation, which shall provide for matters contained in the First Schedule.

Sub-clause (*2*) of said clause 21 provides that the street vending plans prepared by the local authority shall be submitted to the appropriate Government and the appropriate Government shall determine the planning norms for street vendors and notify the street vending plan so submitted.

Clause 22 of the Bill provides that the appropriate Government may, by rules made in this behalf, provide for the term and the manner of constituting a Town Vending Committee in each local authority. However, the appropriate Government may, if considers necessary, provide for constitution of more than one Town Vending Committee, or a Town Vending Committee for each zone or ward, in each local authority.

Sub-clause (*2*) of said clause 22 provides that each Town Vending Committee shall consist of (*a*) Municipal Commissioner or Chief Executive Officer, as the case may be, who shall be the Chairperson; and (*b*) such number of other members as may be provided by rules, to be nominated by the appropriate Government, representing the local authority, the planning authority, traffic police, local police, association of street vendors, market associations, traders associations, resident welfare associations, banks and such other interests as it deems proper. However, the number of members nominated to represent the street vendors shall not be less than forty per cent., out of which one-third shall be from amongst women vendors, and reasonable representation shall also be given to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and persons with disabilities.

Sub-clause (*3*) of said clause 22 provides that the Chairperson and the members so nominated shall receive such allowances as may be provided by rules by the appropriate Government.

Clause 23 of the Bill provides that the Town Vending Committee shall meet at such times and places within the jurisdiction of the local authority and shall observe such rules of procedure in regard to the transaction of business at its meetings, and discharge such functions, as may be provided by rules.

Clause 24 of the Bill provides that the Town Vending Committee may associate with itself in such manner and for such purposes, as may be provided by rules, any person whose assistance or advice it may desire, in carrying out any of the provisions of this Act.

Sub-clause (*2*) of said clause 24 provides that a person associated under sub-section (*1*) shall be paid such allowances as may be provided by rules.

Clause 25 of the Bill provides that the local authority shall provide the Town Vending Committee with appropriate office space and such employees as may be provided by rules.

Clause 26 of the Bill provides that the Town Vending Committee may, in such manner and for such purposes, constitute such number of zonal vending committees and ward vending committees as may be provided by rules.

Clause 27 of the Bill provides that every Town Vending Committee shall publish the street vendor's charter specifying therein the time within which the certificate of registration and the certificate of vending shall be issued to a street vendor and the time within which such certificate of vending shall be renewed and other activities to be performed within the time limit specified therein.

Sub-clause (*2*) of said clause 27 provides that every Town Vending Committee shall maintain an up-to-date records of registered street vendors and street vendors to whom certificate of vending has been issued containing name of such street vendor, stall allotted to him, nature of business carried out by him, category of street vending and such other particulars which may be relevant to the street vendors, in such manner as may be provided by rules.

Sub-clause (*3*) of said clause 27 provides that every Town Vending Committee shall carry out social audit of its activities under the Act or the rules or the schemes made thereunder in such form and manner as may be specified in the scheme.

Clause 28 of the Bill provides that notwithstanding anything contained in any other law for the time being in force, the local authority shall carry out such duties under the provisions of this Act as are provided in the Second Schedule.

Clause 29 of the Bill provides that no street vendor who carries on the street vending activities in accordance with the terms and conditions of his certificate of vending shall be prevented from exercising such rights by any person or police or any other authority exercising powers under any other law for the time being in force.

Clause 30 of the Bill provides penalty for contraventions. It provides that if any street vendor indulges in vending activities without a certificate of vending or vends beyond the designated vending zones or specified timings or contravenes the terms of certificate of vending or contravenes any other terms and conditions specified for the purpose of regulating street vending under this Act or any rules or schemes made thereunder, he shall be liable to a penalty for each such offence which may extend up to rupees two thousand as may be determined by the local authority.

Clause 31 of the Bill provides that nothing contained in this Act shall be construed as conferring upon a street vendor any temporary, permanent or perpetual right of carrying out vending activities in the vending zones allotted to him or in respect of any place on which he carries on such vending activity.

Sub-clause (*2*) of said clause 31 provides that nothing contained in sub-clause (*1*) shall apply to any stationery vendor, if a temporary leasehold or ownership right has been conferred on him by a lease deed or otherwise, in respect of a place at specific location where he carries on such vending activity in accordance with the provisions under any law for the time being in force for carrying out such vending activity.

Clause 32 of the Bill provides that every Town Vending Committee shall furnish, from time to time, to the appropriate Government and the local authority such returns as may be provided by rules.

Clause 33 of the Bill provides that the appropriate Government may, in consultation with the Town Vending Committee, local authority, planning authority and street vendors associations or unions, undertake promotional measures of making available credit, insurance and other welfare schemes of social security for the street vendors.

Clause 34 of the Bill provides that the appropriate Government may, to the extent of availability of financial and other resources, develop and organise capacity building programmes for street vendors and on how to exercise the rights contemplated under this Act and undertake research, education and training programmes to advance knowledge and understanding of the role of the informal sector in the economy, in general and the street vendors, in particular and to raise awareness among the public through Town Vending Committee.

Clause 35 of the Bill provides that the provisions of this Act shall have effect notwithstanding anything inconsistent therein contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act. However, where a State has enacted a law for protecting the livelihood of street vendors and regulation of street vending, and such State law is not inconsistent with this Act, then, the State Government may apply all or any of the provisions of this Act in the State.

Clause 36 of the Bill provides that the appropriate Government may, by general or special order in writing, delegate such of its powers and functions under this Act (excluding the power to frame scheme under section 40 and power to make rules under section 38), as it may deem necessary, to the local authority or the Town Vending Committee or any other officer, subject to such conditions, if any, as may be specified in that order.

Clause 37 of the Bill provides that on the recommendations made by the appropriate Government or otherwise, if the Central Government is satisfied that it is necessary or

expedient so to do, it may, by notification, amend the Schedules and thereupon the First Schedule or the Second Schedule or the Third Schedule, as the case may be, shall be deemed to have been amended accordingly.

Sub-clause (*2*) of said clause 37 provides that a copy of every notification issued under sub-section (*1*), shall be laid before each House of Parliament as soon as may be after it is issued.

Clause 38 of the Bill seeks to empower the appropriate Government to make rules for carrying out the provisions of the proposed legislation.

Sub-clause (*3*) thereof, provides that 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 or State Legislature, as the case may be.

Clause 39 of the Bill seeks to empower the local authority to make bye-laws for carrying out the provisions of the proposed legislation.

Clause 40 of the Bill provides that for the purposes of the Act, the appropriate Government shall frame, by notification, a scheme which may specify all or any of the matters provided in the Third Schedule, which shall be published by the local authority in at least two local news papers in such manner as may be prescribed by rules.

Clause 41 of the Bill seeks to provide for power to remove difficulties.

FINANCIAL MEMORANDUM

Sub-clause (*1*) of clause 20 of the Bill provides for the constitution of a permanent committee for redressal of grievances or resolution of disputes of street vendors by the local authority.

2. Sub-clause (*1*) of clause 21 of the Bill provides for making out a plan for street vending, once in every five years, by the local authority in consultation with the planning authority.

3. Sub-clause (*1*) of clause 22 of the Bill provides for the constitution of town vending committee in each local authority or where necessary more than one or two town vending committee in each local authority or zone or ward. Sub-clause (*3*) of the said clause provides for payment of allowances to the members of town vending committee.

4. Clause 25 of the Bill provides for office space and other employees to be provided to the town vending committee by the local authority.

5. Clause 26 of the Bill provides for constitution of zonal vending committees or ward vending committee by the town vending committee.

6. Clause 28 of the Bill provides for comprehensive digitalized photo census and survey of the existing number of street vendors to be carried out by the local authority, in consultation with the town vending committee.

7. Clause 33 of the Bill provides for promotional measures to be undertaken by the appropriate Government, in consultation with the town vending committee, local authority, planning authority and street vendor association or unions for making available credit, insurance and other welfare schemes of social security to street vendors.

8. Clause 34 of the Bill provides for developing and organising capacity building programmes for street vendors and to undertake research, training and awareness programmes for street vendors by the appropriate Government through the town vending committee.

9. Clause 40 of the Bill provides for framing of a scheme in respect of matters specified in the Third Schedule by appropriate Government.

10. The total financial implication in terms of recurring and non-recurring expenditure involved in carrying out the various functions under the Bill would be borne respectively by the local authority, the State Governments and the Central Government. However, it is not possible to estimate the exact recurring and non-recurring expenditure from the Consolidated Fund of India at this stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 38 of the Bill seeks to empower the appropriate Government to make rules to provide for (*a*) the age for street vending; (*b*) any other categories of street vendors under sub-section (*2*) of section 6; (*c*) other categories of persons under section 7; (*d*) the persons and the experience such person shall have under sub-section (*1*) of section 20; (*e*) the form and the manner of making application under sub-section (*2*) of section 20; (*f*) the manner of verification and enquiry on receipt of grievance or dispute, the time within which and the manner in which steps for redressal of grievances and resolution of disputes may be taken under sub-section (*3*) of section 20; (*g*) the form, the time within which and the manner in which an appeal may be filed under sub-section (*4*) of section 20; (*h*) the time within which and the manner in which an appeal shall be disposed of under sub-section (*5*) of section 20; (*i*) the term of, and the manner of constituting, the Town Vending Committee under sub-section (*1*) of section 22; (*j*) the number of other members of the Town Vending Committee under clause (*b*) of sub-section (*2*) of section 22; (*k*) the allowances to Chairperson and members under sub-section (*3*) of section 22; (*l*) the time and place for meeting, procedure for transaction of business at meetings and functions to be discharged by the Town Vending Committee under section 23; (*m*) the manner and the purpose for which a person may be associated under sub-section (*1*) of section 24; (*n*) the allowances to be paid to an associated person under sub-section (*2*) of section 24; (*o*) the other employees of Town Vending Committee under section 25; (*p*) the manner of, and the purposes for, constituting a zonal vending committee or ward vending committee and the number of zonal vending committees and ward vending committees to be constituted under section 26; (*q*) the manner of maintaining up-to-date record of all street vendors under sub-section (*2*) of section 27; (*r*) the returns to be furnished under section 32; and (*s*) the manner of publishing summary of scheme under sub-section (*2*) of section 40.

2. Clause 39 of the Bill empowers the local authority to make bye-laws to provide for (*a*) the regulation and manner of vending in restriction-free-vending zones, restricted-vending zones and designated vending zones; (*b*) determination of monthly maintenance charges for the civic amenities and facilities in the vending zones under section 17; (*c*) determination of penalty under sub-section (*5*) of section 18 and section 30; (*c*) the regulation of the collection of taxes and fees in the vending zones; (*d*) regulation of traffic in the vending zones; (*e*) the regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards; (*f*) the regulation of civic services in the vending zones; and (*g*) the regulation of such other matters in the vending zones as may be necessary.

3. Clause 40 of the Bill empowers the appropriate Government to frame, by notification, a scheme which may specify all or any of the matters provided in the Third Schedule.

4. The matters in respect of which said rules, bye-laws and scheme may be made are matters of procedure and administrative detail, and as such, it is not practicable to provide for them in the proposed Bill itself. The delegation of legislative power is, therefore, of a normal character.

LOK SABHA

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to protect the rights of urban street vendors and to regulate street vending activities and for matters connected therewith or incidental thereto.

(*Kumari Selja, Minister of Housing and Urban Poverty Alleviation*)

MGIPMRND—2756LS(S3)—04.09.2012.