In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no- 818/9-9-2016-170ja/2006, Dated 03-09-2016

Notification

No.818 /9-9-2016-170ja/2006
Lucknow, Dated-03-09-2016

In pursuance of the provisions of sub-section (1) of section 38 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Act no. 7 of 2014), the State Government, after consultation with local authorities and Town Vending Committees, hereby frame the following scheme and notify the same for information of all concerned:

THE UTTAR PRADESH SCHEME FOR STREET VENDORS; 2016

<table>
<thead>
<tr>
<th>Short title, extent and commencement</th>
<th>1</th>
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<tbody>
<tr>
<td>This scheme shall be called “The Uttar Pradesh Scheme For Street Vendors 2016”.</td>
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<td>It shall be applicable to all municipalities of Uttar Pradesh.</td>
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<td>It shall apply to the municipalities from the date of its publication.</td>
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Definitions 2 (1)

(a) “Act” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Act no. 7 of 2014):

(b) “Form” means a Form appended to this scheme;

(c) “Municipality” means the Municipal Corporation or the Municipal Council or the Nagar Panchayat of the State of Uttar Pradesh, as the case may be:

Words and impressions not defined in this scheme but defined in the Act, shall have the meaning respectively assigned to them in the Act.

Scheme 3

The following scheme shall be applicable with respect to the street vending in the State of Uttar Pradesh:-

(a) Manner of conducting survey- The method which may be used for survey are:

(i) GIS (Geographic Information System) mapping.
(ii) Digitalized photo census.
(iii) Bio-metric along with Photo Identity Cards.
(iv) Registration camp by the constituted team in markets and vending areas.

The survey of street vendors shall be conducted in Form-1 by the Town Vending Committee within the area of their respective jurisdiction. After the completion of survey, all
the data of street vendors shall be filed in computer and thereafter the registration of the street vendors shall be done in Form-2.

(b) Period within which the certificate of vending shall be issued to the street vendors identified by the survey. As the process of survey and registration will be completed, the vending certificate shall be issued within sixty days from the registration of street vendors.

(c) Terms and conditions for issue of certificate of vending-

The terms and conditions for issue of certificate of vending as provided in the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Act no. 7 of 2014), incorporated in the vending certificate issued to the street vendor shall be as follows-

(i) there shall be restrictions to build permanent structure for stationary vending;

(ii) street vendor shall pay the fees as determined by the Town Vending Committee regularly and timely;

(iii) waste produced during street vending shall not be thrown on road, footpath, or in drains or sewer line. The waste shall be collected in a dustbin and be handed over to the agency authorized by the Municipality for door to door collection. For this service, they have to pay monthly user charges;

(iv) every street vendor shall maintain cleanliness in the place of vending and the adjoining areas. Food street vendors selling eatables shall maintain public health and personal hygiene;

(v) vending shall be carried on only in the allotted place and time mentioned in the vending certificate. The contravention shall be treated as violation of the Act and this scheme and the vendor shall be liable to a penalty as determined under the provisions of the Act which includes the cancellation of the vending certificate;

(vi) street vendor shall ensure maintenance of civic amenities and safety of public property in the adjoining areas;

(vii) street vendor shall ensure that smooth flow of traffic/vehicles and public convenience are not hindered due to vending activities;

(viii) the streets vendors shall not sell prohibited goods. They shall not do any such activity/ work/ business/service which pollutes the environment or causes public hindrance;

(ix) if necessary, street vendor may be relocated under the provisions of section 18 of the Act to the adjoining vending zone on the availability of space;
vending fees as may be fixed from time to time by the Town Vending Committee. The Vending Committee shall fix the vending fees having regard to the local area and category of street vending.

(h) Manner of collection of fees and charges- Vending fees, maintenance charge, penalty, fees for vending, and fees for providing civic amenities shall be collected through bank by the Municipality or the Town Vending Committee. The amount collected as above shall be kept in a separate bank account to be operated jointly by the Chairperson of the Town Vending Committee and an officer of Municipality authorized in this behalf by it. Fee may be paid in cash or through draft, or cheque or electronic transfer.

(i) Period of validity of certificate of vending – Certificate of vending shall be issued for three years.

(j) Period of which and manner in which a certificate of vending may be renewed– If all the terms and conditions are followed judiciously by the street vendor, the certificate may be renewed from time to time further five years on payment of such fees as may be determined by the Town Vending Committee concerned.

(k) Manner in which the certificate of vending may be suspended or cancelled- On violation of provisions of the Act or the rules made thereunder the Town Vending Committee or any officer authorized by it in this behalf shall take action for cancelling or suspending the certificate of vending. The Town Vending Committee or the authorized officer shall issue a show-cause notice in Form-5 before suspending the certificate of vending. After examining the reply of notice, the Town Vending Committee may, after giving an opportunity of being heard, cancel the vending certificate or cancel the notice or may keep the certificate under suspension. An appeal against the order of Town Vending Committee may be preferred by the aggrieved person to the Mayor or the Chairperson, of the municipality as the case may be, within 30 days of receiving the order. The appeal may be decided within 45 days.

(l) Other categories in addition to stationary and mobile street vendors- In addition to stationary and mobile vending, vending on thella, head load and in weekly markets, festival mela and seasonal market may be categorized.

(m) Other categories of persons for preference for issue of certificate of vending- In addition to vendors belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, women, persons with disabilities, minorities, etc, persons having Below Poverty Line (BPL) card, poor widows and persons who have Antyodaya card may be included in preference list.
(n) Public purpose in which relocation is made and manner of relocating street vendors—
(i) Municipality may relocate vendors in vacant place available in vending zone;
(ii) Reasons for relocating vendors from designated locations shall be as follows—
   (a) construction and maintenance of development works, 
   (b) hindrance in smooth flow of traffic and transport, 
   (c) law and order problems, 
   (d) emergent situation, 
   (e) place being declared as no-vending zone, 
   (f) number of street vendors exceeding the absorption capacity of vending zone, 
   (g) view of Town Vending Committee in prevalent situation at that time;
(iii) (a) One month’s notice shall be issued to street vendors before relocation in Form-6, 
       (b) In case the street vendor fails to move on relocated place in compliance of the notice in eviction may be done. Form-7,

(o) Manner of evicting of street vendor— A street vendor whose certificate of vending has been cancelled under section 10 of the Act shall be evicted .

(p) Manner of giving notice for eviction — The notice for eviction shall be given by the Town Vending Committee or an officer authorized by it for the period not exceeding thirty days .

(q) Manner of evicting a street vendor physically on failure to evict — In case of failing to vacate the place in compliance of order of eviction, goods of vendor shall be seized and be physically evicted.

(r) Manner of seizure of goods by municipality including preparation and issue of list of goods seized— (1) If the street vendor fails to vacate the place after the lapse of the period giving in the notice the municipality may seize the goods of such street vendor, in addition to evicting him.
   (2) An inventory/list of seized goods shall be prepared and a copy shall be provided to such street vendor.

(s) Manner of reclaiming seized goods and charging fee for the same—
   (1) Street vendor may reclaim his goods within two days after paying prescribed fees and by giving an undertaking that he shall not carry out vending again in the place of eviction. Perishable goods may be released same day after receiving the fee. If the goods are not
reclaimed within the specified time, municipality may dispose off the goods in accordance with the rules:

(2) Fees for reclaiming of goods shall be determined by Town Vending Committee.

(I) Form and manner for carrying out social audit of the activity of Town Vending Committee-

(1) Every Town Vending Committee shall exhibit in its office a street vendor charter, depicting entries made as per section 26 (1) of the Act, specifying time for issue of certificate of vending, and time-line for other activities related to vendors.

(2) The Town Vending Committee shall maintain a register of details pertaining to street vendors. A data base of street vendors shall be developed.

(3) Social audit shall provide information regarding implementation of scheme and programmes, their target and actual benefits derived therefrom. One or more social audit teams shall be formed in every Municipality for conducting social audit. Every team shall consist of members from following categories also-

(i) General
(ii) Other Backward Class
(iii) Scheduled Caste/Scheduled Tribe
(iv) Woman
(v) Street vendor

The determination of educational qualifications, eligibility, criteria of members and their selection shall be made by Municipal Commissioner in Nagar Nigams and District Magistrate in Nagar Palika Parishads and Nagar Panchayats. The roles and responsibilities of the Social Audit teams shall be determined by Municipal Commissioner in Nagar Nigams and District Magistrate in Nagar Palika Parishads/Nagar Panchayats. Social audit team shall examine records, conduct physical verification of vending related activities, their need, utility, achievements, impact on up-gradation in living standard of beneficiaries and convenience of general public etc. in association with community in transparent manner. For this the Town Vending Committee shall maintain the records.

(u) Conditions under which private places be declared as restriction free vending zones, restricted vending zones and no vending zone-

The Town Vending Committee shall determine the terms and conditions for declaring private places as restriction free vending zone, restricted vending zone and no vending zone according to local needs and circumstances.
(v) Terms and conditions for street vending including norms to be observed for up keeping public health and hygiene:
(1) Building of permanent structure for stationary vending shall be completely prohibited.
(2) Street vendor has to pay maintenance fee/charge for the provision of services as may be specified by the Municipality.
(3) Solid waste generated as result of vending, shall not be thrown on road or footpath or in drains, sewer line etc. The waste material shall be collected in a dustbin and be given to agency authorized by municipality for door to door collection and shall pay monthly user charge for the service.
(4) Every street vendor shall maintain cleanliness and public hygiene in the adjoining areas. Food vendors shall take care of public health and personal hygiene.
(5) Vending shall be carried out on the allotted place and time as mentioned in vending certificate. Vending in contravention shall be treated as violation of terms and conditions, and on doing so a penalty shall be imposed under the provisions of the Act/Rules and certificate of vending may be cancelled.
(6) Street vendor shall have to maintain civic amenities and ensure safety of public property in adjoining areas.
(7) Street vendor shall ensure smooth flow of traffic and no public inconvenience is caused because of his vending activities.
(8) There shall be no sale of prohibited goods. Any activity/work/business/service which pollutes the environment or produces public hindrance shall not be done.
(9) If necessary, street vendor shall be relocated under the provisions of section 18 of the Act to the adjoining vending zone on availability of space.

(w) Designation of State Nodal Officer for coordination of all matters relating to street vending at the State level.
The Director of Urban Local Bodies, Uttar Pradesh may be nominated as State Nodal Officer for coordination of matters related to street vending in urban area of municipalities of the State.

(x) Manner for maintenance of records by Town Vending Committee, Municipality, Development Authority and State Nodal Officer.
The records like survey forms, registration forms, data, details of relocation, suspension and regulations issued from time to time.
in relation to street vending shall be maintained by the Town Vending Committee. Similarly Development Authority and State Nodal Officer shall also maintain related documents or records.

(y) Manner of carrying out vending activities on basis of time sharing:
In Uttar Pradesh, vending activities on time sharing have not come in to light. Such type of vending activities do not seem practical in present context. This arrangement may be made in future by permitting vending in night market or on weekly holidays. Town Vending Committee may frame terms and conditions for the purpose as per local circumstances.

(2) Principle for determination of vending zones as restriction free vending zones, restricted vending zone and no vending zone:

The determination of restriction free vending zone, restricted vending zone, no vending zone or area or place shall be done by the concerned municipality on the recommendation of the Town Vending Committee. The bylaws shall be made by the municipality concerned keeping in view the local circumstances, needs, practicality and rationale.

(2a) Principles for determining holding capacity of vending zone and the manner of undertaking comprehensive census and survey:

(1) The holding capacity of vending zone shall be determined as per provisions of section 3(2) of the Act, which would not be more than 2.5 per cent of population of the town as per census 2011. Available space, transport, population density and suitable communication shall also be considered while determining holding capacity. Holding capacity shall be determined by concerned municipality in the light of above mentioned criteria and local circumstances.

(2) The census and survey of street vendors shall be conducted in Form-1. Census and survey shall be undertaken after verification received in site survey and registration.

(2b) Principles of relocations subject to the following:

(i) relocation should be avoided as far as possible unless there is clear and urgent need for the land in question:

(ii) affected vendor or their representatives shall be involved in planning and implementation of the rehabilitation project:

(iii) affected vendors shall be relocated so as to improve their livelihoods and standards of living or at least to restore them, in real terms to pre evicted levels:

(iv) livelihood opportunities created by new infrastructure
development projects shall accommodate the displaced vendors so that they can make use of the livelihood opportunities created by the new infrastructure;

(v) loss of assets shall be avoided and in case of any loss, it shall be compensated;

(vi) any transfer of title or other interest in land shall not affect the rights of street vendors on such land, and any relocation consequent upon such a transfer shall be done in accordance with the provisions of this Act;

(vii) State machinery shall take comprehensive measures to check and control the practice of forced evictions;

(viii) natural markets where street vendors have conducted business for over fifty years shall be declared as heritage markets, and the street vendors in such markets shall not be relocated.

(\(\text{Signature}\) 2016)

(State Prakash Singh)

Secretary.
Name of the Municipality

Serial Number

Survey Form for Street Vendor
[under section 3 of Street Vendors (Protection of Livelihood and Regulation of Street vending) Act 2014]

1. Name

2. Sex

3. Name of Father and Mother

4. Address: i. Local
   ii. Permanent

5. Age

6. Identity Card (if available): i. Identity card number
   ii. Designation of Issuing Authority

7. Religion

8. Mobile Number (if available)

9. Qualifications

10. Bank Accounts Number (if any) Name of the Bank

11. Details of the family:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name</th>
<th>Age</th>
<th>Relationship with street vendor</th>
</tr>
</thead>
</table>

12. Details of the street vending

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Business</th>
<th>Place of Business</th>
<th>Experience in Business</th>
<th>Date of entering Business</th>
<th>Money invested in Business</th>
<th>Monthly Income</th>
<th>Duration of the Business</th>
<th>Others</th>
</tr>
</thead>
</table>

13. Category of Street Vending (Stationary/Mobile):

[Signature]

10
a. Stationary Street Vending
   i. If stationary, name of place, locality and ward of vending activity.
   ii. Boundary.
   iii. Area of land for street vending activity.
   iv. Name of the product/service for vending.

b. Mobile Street Vending
   i. If mobile, starting place and ending place of street vending.
   ii. Mode of Mobile Street Vending (on Thetta, on Bicycle, on Head, Others).
   iii. Name of the product/service for street vending.

   i. If yes, is it below poverty line - Yes, No.
   ii. Ration card number and name of issuing office.

12. Category: Scheduled Castes/Scheduled Tribes/Other Backward Classes/Minorities/Women/Physically Disabled.

13. Other details.

Signature of surveyor    Date of survey    Signature of the street vendor
Application Form/Undertaking for Registration of Street Vendors
[under section -5 of street vendors (Protection of Livelihood and Regulation of Street vending) Act 2014]

1. Name
2. Name of Father and Mother
3. Address: i. Local
   ii. Permanent Address
4. Age
5. Identity Card (If available): i. Identity card number
   ii. Designation of Issuing Authority
6. Mobile Number (If available)
7. Qualifications
8. Details of the family

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</table>

10. Category of street vending (Stationary/Mobile):
   i. If stationary, name of place, locality, ward, area of land and goods
   ii. If mobile, name of locality, ward, name of goods and mode
11. Duration of street vending

12. Ration card number and name of Issuing Office

13. If belonged to Scheduled Castes/Scheduled Tribes/Other Backward Classes/Minorities/Women/Physically Disabled (Attach Attested copy of Certificate)

14. Registration fees

Undertaking

I, ________________________, son/daughter/wife of Mr. ________________, declare that:

i. I shall carry on the business of street vending myself or through any of my family member;

ii. I don't have any other means of livelihood;

iii. I shall not transfer in any manner whatsoever, including rent, the certificate of vending or the place specified therein to any other person.

Signature of Street Vendor
Name of the Municipality: 

Serial Number: 

Certificate of Vending 
[under section -4 of street vendors (Protection of Livelihood and Regulation of Street vending) Act 2014]

Name of street vendor Mr./Mrs. ................................................ Vendor Code: ..............................................

Father/Husband's Name: ........................................ Present place of Residence: ........................................

As per decision of the meeting of Town Vending Committee dated: ..................you are granted stationary/mobile street vending certificate for zone: ....... market/locality ....... road: .........(ward: .............) ......... (............. sq. meter area) temporarily from morning: ..........AM .......... to evening: ..........PM ..........valid till 31st March ..........of which the demarcation and restriction for the vending activity are as follows: 

Demarcation for Stationary Vending: Movement area for Mobile street vending

East: ....................................................
West: ....................................................
North: ....................................................
South: ....................................................

Terms & Conditions

1. there shall be restrictions to build permanent structure for stationary vending;
2. street vendor shall pay the fees as determined by the Town Vending Committee regularly and timely;
3. waste produced during street vending shall not be thrown on road, footpath, or in drains or sewer line. The waste shall be collected in a dustbin and be handed over to the agency authorized by the municipality for door to door collection. For this service, they have to pay monthly user charges;
4. every street vendor shall maintain cleanliness in the place of vending and the adjoining areas. Food street vendors selling eatables shall maintain public health and personal hygiene;
5. vending shall be carried on only in the allotted place and time mentioned in the vending certificate. The contravention shall be treated as violation of the Act and this scheme and
the vendor shall be liable to a penalty as determined under the provisions of the Act which includes the cancellation of the vending certificate;

6. street vendor shall ensure maintenance of civic amenities and safety of public property in the adjoining areas;

7. street vendor shall ensure that smooth flow of traffic/vehicles and public convenience are not hindered due to vending activities;

8. the streets vendors shall not sell prohibited goods. They shall not do any such activity/work/business/service which pollutes the environment or causes public hindrance;

9. if necessary, street vendor may be relocated under the provisions of section 18 of the Act to the adjoining vending zone on the availability of space;

Authorized Officer
Town Vending Committee
Name of the Municipality: ____________________________

Identity Card of Street Vendor

[under section -6(3) of street vendors (Protection of Livelihood and Regulation of Street vending) Act 2014]

Serial Number
1. Code Number of street vendor: ____________________________
2. Name of vendor: ____________________________
3. Father/Husband’s name: ____________________________
4. Address: ____________________________
5. Mobile number: ____________________________
6. Nature of Business: ____________________________
7. Category (Stationary/Mobile): ____________________________
8. Place of Street Vending/Vending Zone: ____________________________
9. Duration of Street Vending: From ___________ To ___________
10. Name of nominee: ____________________________
11. Validity: ____________________________

Signature of Authorized Officer
Town Vending Committee
Notice for cancellation/suspension of Street Vending Certificate
[under section -10 of street vendors (Protection of Livelihood and Regulation of Street
vending) Act 2014]

Serial Number

To,

Mr./Ms. ............................................ Vendor Code ......................................... Father/ Husband's
Name ............................................. Address of Present Residence/Communication Address of Street Vendor

In reference to your application to the Town Vending Committee and its approval
dated ................................ vide letter no ................................ dated .......... you have been given certificate
of vending with certain terms and conditions for stationary/mobile street vending at
zone .......................................................... market/locality ................................................. road ............... (ward ..................................) metersX meters( ........ sq. meter area)

Now, this is to inform you that:

1. You have committed breach of following terms and conditions specified for the
purpose of regulating street vending under the Act or rules or schemes made there
under.-
(a) ................................................................................................................
(b) ................................................................................................................
(c) ................................................................................................................

2. You have secured the certificate of vending through misrepresentation or fraud or
false information which is /are as follows-
(a) ................................................................................................................
(b) ................................................................................................................
(c) ................................................................................................................

In the light of the above, you are required to present in person and submit your
opinion supported by necessary documents on dated ...... . In case you fail to give
satisfactory explanation within the specified time as mentioned above, it shall be deemed
that you have nothing to say in the matter. As a result, the vending certificate issued in
favour of you shall be cancelled. During the investigation, your vending certified shall
remain suspended.

Date-

Signature of Authorized Officer
Town Vending Committee

17
Name of the Municipality

Notice for Relocation of Street Vendors
[under section -18 of street vendors (Protection of Livelihood and Regulation of Street vending) Act 2014]

Serial Number

Mr./Ms. ........................................... Vendor Code ............................ Father /Husband’s Name .......................... Address of Present Residence/Communication Address of Street Vendor

In reference to your application to the Town Vending Committee and its approval dated .................. vide letter no.......................... dated.............. you have been issued a certificate of vending with certain terms and conditions for stationary/mobile street vending at zone.......................... market/locality.......................... road..........................

(ward..........................).......................... meters X.................. meters(.......................... sq. meter area)

Now, this is to inform you that due to:

1. pressure of transportation and overcrowding widening and other development works on the road,
2. construction of metro/ flyover on the road ............................................ is proposed,
3. zone or part of it, have been declared a no vending zone,
4. hindrance in smooth flow of traffic and transport,
5. law and order problem,
6. emergent situation,
7. number of vendors being excess the absorption capacity of the Vending Zone,
8. any other (specify)

It is not permissible to continue vending activities at the place or area mentioned in the certificate of vending issued to you.

You are therefore, directed to vacate the place specified in the certificate of vending within thirty days from the date of issue of this notice. In case you fail to vacate the place, after the expiry of the period specified in the notice, you shall be liable to pay for every day of such default, a penalty which may extend up to two hundred and fifty rupees under section 18(5) of the Act.

Further, you may be relocated to following place or area or from the present place of vending:

(1)
(2)
(3)

Date-

Signature of Authorized Officer
Municipality
Name of the Municipality: 

Notice for Eviction of Street Vendors

[under section-18(2 and 3) of street vendors (Protection of Livelihood and Regulation of Street vending) Act 2014]

Serial Number Date:

To,

Mr./Ms. Vendor Code. Father/Husband’s Name. Address
of Present Residence/Communication Address of Street Vendor

in reference to your application to the Town Vending Committee and its approval dated vide letter no. dated. you have been granted certificate of vending with certain terms and conditions for stationary/mobile street vending at zone. market/locality. road. (ward. ) .meters X .meters (sq. meter area)

Now, this is to inform you that:

1. The vending certificate issued to you has been cancelled vide order no. date. under section 10 of the Act.
2. You are indulged in vending activities without a certificate of vending.
3. Any other reason.

Therefore, this is to inform you through this notice that you have to remove your vending activity from the area/market/street. in the light of above mentioned fact at the serial number. within thirty days. If you will not vacate the place within specified time you shall be evicted physically in accordance with the provisions of section 18(4) of the Act.

This is also to inform you that if you fail to vacate the land within specified time which is mentioned in the notice, you shall be liable to pay for every day of such default, a penalty which may extend up to two hundred and fifty rupees per day.

Signature of Authorized Officer
Municipality

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