

DRAFT BYE-LAWS

AS PER THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014

[Name of City][Municipal Corporation / Municipality / Nagar Panchayat / Cantonment Board]

NOTIFICATION

[Name of city], [Date of Publication]

[Reference number of the department] - In exercise of the powers conferred by section 37 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014), and subject to the other provisions of the Act, rules or scheme made there under, the [Name of City] [Municipal Corporation / Municipality / Nagar Panchayat / Cantonment Board], hereby makes the following by-laws for the street vending, namely:—

CHAPTER – I

PRELIMINARY

1. Short title and commencement.– (1) This Bye-laws may be called the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bye-laws, [year] for [Name of City][Municipal Corporation / Municipality / Nagar Panchayat / Cantonment Board]

(2) It shall come into force on the date of its publication.

2. Definitions.– In these bye-laws, unless the context otherwise requires.-

(a) “Act” means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014);

(b) “plan” means a plan prepared under section 21 of the Act;

(c) ‘rules’ means (Name of the State / UT) Street vendors (Protection of Livelihood and Regulation of Street Vending) Rules, [year];

(d) “scheme” means the scheme framed under section 38 of the Act;

(e) “town vending committee” means a town vending committee constituted under the rules;

DRAFT BYE-LAWS

AS PER THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014

Words and expressions defined in the Act, rules or scheme and used in these Bye-laws shall have the same meanings as respectively assigned to them in the Act, rules or scheme.

CHAPTER – II

REGULATION AND MANNER OF VENDING IN VENDING ZONES

3. (1) The town vending committee shall decide vending zones considering the intensity of foot falls, road width and the vehicular and pedestrian movement in the roads in the area.
- (2) The carrying capacity of an area would put the limit on the number of street vendors which can be positioned in any area. It shall be the duty of the designated official of the local authority to keep a check that number of mobile vendors shall not cross the limit at a specific place as decided by the town vending committee.
- (3) The restricted vending zones are mainly linked up with the road width, and the roads of the following description have been put in this category in the plan;
 - (i) No stationary vending is proposed on the roads having very small width equal to [zz] meters having two way traffic. However, street vending can be allowed if any such roads are declared as no vehicular road, at any point of time.
 - (ii) No Street vending for the roads having small width between [zz] meters to [zz] meters. However, street vending can be allowed if such road is declared one way vehicular road.
 - (iii) One side street vending on the roads having reasonably big width between [zz] meters to [zz] meters.
 - (iv) Both side vending for the roads having big width [zz] meters and above.
 - (v) the number of street vendors shall be decided after taking into consideration the holding capacity of each designated vending area on such a road,
 - (vi) such stationary vending shall be allowed after taking the clearance from traffic police regarding the smooth vehicular and pedestrian movement. If necessary, road side parking shall be banned in such areas where street vending is allowed,

DRAFT BYE-LAWS

AS PER THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014

- (vii) mobile vending shall be allowed on such roads looking to the traffic and pedestrian movement, and
- (viii) suggestive road designing as provided in the Annexure appended to these bye-laws.

(4) In the no vending zone,-

- (i) [zz] meters from the entry and exist points of important government buildings, like State Secretariat, State Assembly, High court, District Collectorate, offices of District Panchayat, Municipal Corporation, buildings Municipality, Nagar Panchayat, Courts, Cantonment Board Fire Brigade stations etc.
- (ii) [zz] meters from the entry and exit points of railway stations.
- (iii) [zz] meters on both the sides of railway crossing falling within the city limits.
- (iv) [zz] meters from the entry and exit points of bus terminus.
- (v) No vending in the areas as enjoined in the relevant provisions of Ancient Monuments and Archaeological Sites and Remains Act 2010 and the State Archeological Monument Protection Act.
- (vi) The areas prohibited under the provisions of the Built Heritage Conservation Rules.
- (vii) [zz] Meters from any crossing of two or more roads on all sides.
- (viii) [zz] Meters on both the sides from the entry and the exit of any educational institution.
- (ix) XYZ area which the state has prohibited from being used as vending space from the angle of security.
- (x) Any other area which the Local Body in consultation with the Town Vending Committee considers fit to be included in the category of no vending zone.

Note: No existing market or a natural market as identified under the survey is to be included as a no-vending zone.

4. Restriction on street vendors,- A street vendor who has been granted the certificate of vending for any vending zones shall not –

- (i) obstruct or interfere with vehicle, bi-cycle or pedestrian traffic or their safety,

DRAFT BYE-LAWS

AS PER THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014

- (ii) obstruct or interfere with doorways, entrances, fire doors or emergency exits abutting to the street,
- (iii) obstruct or interfere with any utilities like water supply, sewerage, telephone, electricity or similar installations,
- (iv) obstruct or interfere with any other structures, sign boards, display units, City works or operations, on or adjacent to the street,
- (v) sell any objectionable goods or services or merchandise etc,
- (vi) occupy more space than allotted by the town vending committee,
- (vii) sell goods or services or merchandises after fixed hours as specified by the town vending committee,
- (viii) throw garbage anywhere except at specific places identified by the local authority,
- (ix) sell the goods or services or merchandises after expiry of the certificate of vending, and
- (x) make use of loudspeakers, megaphones, sound systems or other amplification equipment and reflective signage.

5. Responsibility of Street Vendors.- It shall be the duty of the street vendor or his family member or employee to,-

- (i) comply with all the conditions specified in the certificates of vending;
- (ii) vend in the place specified in the certificate of vending;
- (iii) display the certificate of vending at the vending place all the times;
- (iv) ensure that either the street vendor or his family member whose name has been mentioned in the certificate of vending or his employee remains present at the vending place during the vending hours;
- (v) keep the vending place safe and in good conditions at all the times;
- (vi) comply with any safety and sanitary requirements of the local authority;
- (vii) comply with all the requirements of the Prevention of Food Adulteration Act, 1954 or any other laws, as applicable;
- (viii) produce the certificate of vending when demanded by the competent authority, and
- (ix) follow all the requirements of this bye-laws.

DRAFT BYE-LAWS

AS PER THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014

CHAPTER – III CHARGES, TAXES AND PENALTIES

6. Maintenance charges.- (1) The monthly maintenance charges to be paid to the local authority for the civic amenities and facilities in the vending zones shall be according to the category of the street vendors and the status of the market. The categories of the vendors and markets shall be decided by the town vending committee.

(2) The charge under clause (1) shall not be less than Rs. [...] and more than Rs. [.....] per month.

(3) Every year a minimum [.....] per cent. charges shall be increased.

(4) The local authority may collect the maintenance charge annually instead of monthly, if it deems fit. In case of annual payment, one month maintenance charge may be given as discount.

7. Penalty to be levied.- (1) If any street vendor-

(i) who fails to relocate or vacate the place specified in the certificate of vending or

(ii) indulges in vending activities without the certificate of vending or contravenes the term of certificate of vending or contravenes any other terms and conditions specified for the purpose of regulating street vending under the Act, rules or scheme made there under,

shall be liable to pay a penalty [.....] times of the amount of the monthly maintenance charge.

(2) If the street vendor breaches the conditions laid down in the Certificate of Vending three times, his certificate of vending shall be suspended and in case of his persistent default, his certificate shall be cancelled.

8. Regulation of collection of taxes in vending zones.- The local authority shall collect taxes for use of land by the vendor, which shall be [three] times of the levy imposed on unauthorized settlement or Rs. [...], whichever is higher.

DRAFT BYE-LAWS

AS PER THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014

CHAPTER – IV MISCELLANEOUS

- 9. Regulation of traffic in vending zones.-** (1) Wherever a vending zone is declared by the town vending committee, the traffic police shall decide about one way traffic, speed limit, parking, movement of heavy vehicles and such other incidental matters. In a case where the traffic police does not agree with the declaration of the vending zone in a particular area, the town vending committee shall reconsider in respect of vending zones and decide either to shift or to cancel the zone for such areas.
- (2) The local authority shall clearly earmark the vending area, footpath and carriage way in the vending zones.
- 10. Regulation of quality of products and services provided to public in vending zones.-** Any vendor, who sells food articles, readymade or processed, on the site, he shall follow all the provisions of the Prevention of Food Adulteration Act, 1954. In case of failure, penal measures shall be initiated by the concerned authority as provided in that Act and on conviction by the competent court, his certificate of vending shall be cancelled by the town vending committee with immediate effect;
- 11. Regulation of civic services in vending zones.-** (1) The public toilet and drinking water facilities be provided in the vending zone by the local authority.
- (2) The proper collection of solid waste management system shall be provided by the local authority.
- (3) The lighting to vendors shall be allowed by the compact fluorescent lamp mechanism.
- (4) No individual electricity and water connection be allowed in the vending zones.

Designation of the authority who is competent to sign and publish the bye-laws

DRAFT BYE-LAWS

AS PER THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014

ANNEXURE (SEE BYE-LAWS 3(3)) ROAD DESIGNING WITH STREET VENDING SPACE

Sr. No.	Width of road	(IN MTRS)											Vending Status	Conditionally allowed	
		Footpath (in mtrs)	Street Vending space	Service Road	Cycle Track	Carriage way	Central verge	Carriage way	Cycle Track	Service Road	Street Vending space	Footpath			
1	3.5	0.0	0.0	0.0	0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Not allowed	No vehicular area
		0.0	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Allowed	
2	6.0	0.0	0.0	0.0	0.0	3.0	0.0	3.0	0.0	0.0	0.0	0.0	0.0	Not allowed	One way road
		0.0	3.0	0.0	0.0	0.0	0.0	0.0	3.0	0.0	0.0	0.0	0.0	Allowed	
3	9.0	1.0	0.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	1.0	Not allowed	One way road
		1.0	3.0	0.0	0.0	0.0	0.5	3.5	0.0	0.0	0.0	0.0	1.0	Allowed	
4	12.0	1.0	3.0	0.0	0.0	3.5	0.0	3.5	0.0	0.0	0.0	1.0	1.0	Allowed	One side
5	15.0	1.0	3.0	0.0	0.0	5.0	0.0	5.0	0.0	0.0	0.0	1.0	1.0	Allowed	One side
6	18.0	1.0	3.0	0.0	0.0	6.0	1.0	6.0	0.0	0.0	0.0	1.0	1.0	Allowed	One side
7	24.0	1.5	3.0	0.0	0.0	8.5	1.0	8.5	0.0	0.0	0.0	1.5	1.5	Allowed	One side
		1.0	3.0	0.0	0.0	7.5	1.0	7.5	0.0	0.0	3.0	1.0	1.0	Allowed	Both sides
8	30.0	1.5	3.0	0.0	1.0	9.0	1.0	9.0	1.0	0.0	3.0	1.5	1.5	Allowed	Both sides
9	36.0	2.0	3.0	0.0	1.5	11.0	1.0	11.0	1.5	0.0	3.0	2.0	2.0	Allowed	Both sides
10	40.0	2.0	3.0	0.0	1.5	13.0	1.0	13.0	1.5	0.0	3.0	2.0	2.0	Allowed	Both sides
11	60.0	3.0	4.0	5.0	2.0	15.0	2.0	15.0	2.0	5.0	4.0	3.0	3.0	Allowed	Both sides

Note: These calculations are subject to approval of traffic division for carrying capacity of vehicular traffic

For two lane traffic minimum 7 mtrs is required for carrying traffic

Minimum Area available for street vending - 3.0 mtrs

Minimum space requirement for pedestrian movements - 1.0 mtr