

15 -ാം കേരള നിയമസഭ

5 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 4034

15-07-2022 - ൽ മറുപടിയ്ക്ക്

വഴിയോര കച്ചവടക്കാർക്ക് സഹായം

ചോദ്യം		ഉത്തരം	
ശ്രീ. അനൂപ് ജേക്കബ്		ശ്രീ. എം.വി.ഗോവിന്ദൻ മാസ്റ്റർ (തദ്ദേശ സ്വയംഭരണ, ഗ്രാമവികസനം, എക്സൈസ് വകുപ്പ് മന്ത്രി)	
(എ)	<p>സംസ്ഥാനത്ത് വഴിയോര കച്ചവടക്കാർക്കായി സർക്കാർ എന്തെല്ലാം ആനുകൂല്യങ്ങളാണ് നൽകി വരുന്നത്; വിശദമാക്കാമോ;</p>	(എ)	<p>സംസ്ഥാനത്ത് കുടുംബശ്രീ വഴി നടപ്പാക്കുന്ന കേന്ദ്രാവിഷ്കൃത പദ്ധതിയായ ദേശീയ നഗര ഉപജീവന മിഷന്റെ (എൻ.യു.എൽ.എം.) ഭാഗമായി തെരുവ് കച്ചവടക്കാർക്കായി നൽകിവരുന്ന ആനുകൂല്യങ്ങൾ ചുവടെ ചേർക്കുന്നു.</p> <ul style="list-style-type: none"> • നഗരപ്രദേശങ്ങളിലെ തെരുവ് കച്ചവടക്കാരുടെ സർവ്വേ നടത്തി കച്ചവട സർട്ടിഫിക്കറ്റും തിരിച്ചറിയൽ കാർഡും നൽകിവരുന്നു. • തെരുവ് കച്ചവടക്കാർക്ക് കച്ചവടം ചെയ്യുന്നതിന് ആവശ്യമായ അടിസ്ഥാന സൗകര്യങ്ങൾ വികസിപ്പിക്കുന്നതിന് നഗരസഭകൾ ആവശ്യപ്പെടുന്ന പക്ഷം മാർക്കറ്റുകൾ നിർമ്മിക്കുന്നതിന് തുക നൽകിവരുന്നു • PM Street Vendor's Atma Nirbhar Nidhi (PM SVANidhi) പദ്ധതി പ്രകാരം തെരുവ് കച്ചവടക്കാർക്കായി 7% പലിശയില്ലാത്ത ബാങ്ക് വായ്പ ലഭ്യമാക്കുന്നു. കൂടാതെ ടി പദ്ധതിയുടെ ഭാഗമായി വായ്പ ലഭ്യമായ കച്ചവടക്കാരെ ഡിജിറ്റൽ പണമിടപാട് പ്ലാറ്റ് ഫോമുകളിൽ ചേർക്കുകയും ഇത്തരത്തിൽ ഡിജിറ്റൽ പണമിടപാട് നടത്തുന്നവർക്ക് ക്യാഷ്ബാക്ക് നൽകുകയും ചെയ്യുന്നു. • കൊച്ചി, തിരുവനന്തപുരം നഗരസഭകളിലെ താൽപര്യമുള്ള PM SVANidhi പദ്ധതി ഗുണഭോക്താക്കളുടെ കുടുംബാംഗങ്ങളെ സാമൂഹ്യ-സാമ്പത്തിക പ്രൊഫൈലിങ് നടത്തി അർഹരായവരെ വിവിധ പദ്ധതികളിൽ അംഗമാക്കിവരുന്നു.
(ബി)	<p>ഇവരുടെ സംരക്ഷണത്തിനായി ഏതെല്ലാം</p>	(ബി)	<p>തെരുവ് കച്ചവടക്കാരുടെ ജീവനോപാധി സംര</p>

	<p>നിയമനിർമ്മാണങ്ങൾ നടത്തിയിട്ടുണ്ട്; വിശദമാക്കാമോ;</p>	<p>ക്ഷിക്കുന്നതിനും നഗരങ്ങളിലെ തെരുവ് കച്ചവടം നിയമം മൂലം നിയന്ത്രിക്കുന്നതിനുമായി 2014 ൽ കേന്ദ്ര തെരുവ് കച്ചവട (ജീവനോപാധി സംരക്ഷണവും തെരുവ് കച്ചവട നിയന്ത്രണവും) നിയമം നിലവിൽ വന്നു. പ്രസ്തുത നിയമം കേരളത്തിൽ നടപ്പിലാക്കുന്നതിന്റെ ഭാഗമായി 2018-ൽ തെരുവ് കച്ചവട (ജീവനോപാധി സംരക്ഷണവും തെരുവ് കച്ചവട നിയന്ത്രണവും) ചട്ടവും, 2019 ൽ തെരുവ് കച്ചവട (ജീവനോപാധി സംരക്ഷണവും തെരുവ് കച്ചവട നിയന്ത്രണവും ലൈസൻസിംഗ്) സ്കീമും സംസ്ഥാന സർക്കാർ വിജ്ഞാപനം ചെയ്തിട്ടുണ്ട്.</p>
(സി)	<p>വികസനത്തിന്റെ ഭാഗമായി ചില പ്രത്യേക കേന്ദ്രങ്ങളിൽ ഇത്തരം കച്ചവടക്കാരെ ഒഴിപ്പിക്കുമ്പോൾ പകരം എന്തു സംവിധാനമാണ് അവർക്കായി ഏർപ്പെടുത്തിയിരിക്കുന്നത്; വിശദമാക്കാമോ;</p>	<p>(സി) തെരുവ് കച്ചവടക്കാരെ ഒഴിപ്പിക്കുന്ന സാഹചര്യത്തിൽ 13.02.2019-ലെ GO(P)No.10/2019/LS GD നമ്പർ ഉത്തരവ് പ്രകാരം വിജ്ഞാപനം ചെയ്തിട്ടുള്ള തെരുവ് കച്ചവട (ജീവനോപാധി സംരക്ഷണവും തെരുവ് കച്ചവട നിയന്ത്രണവും ലൈസൻസിംഗ്) സ്കീം 2019 ലെ 14, 15 വകുപ്പുകളിലെ വ്യവസ്ഥകൾ പ്രകാരമാണ് നടപടി സ്വീകരിക്കേണ്ടത്. തെരുവ് കച്ചവട (ജീവനോപാധി സംരക്ഷണവും തെരുവ് കച്ചവട നിയന്ത്രണവും ലൈസൻസിംഗ്) സ്കീം -2019 പകർപ്പ് ഇതോടൊപ്പം അനുബന്ധമായി ചേർക്കുന്നു.)</p>
(ഡി)	<p>കോവിഡ് മൂലം തകർന്ന പ്രസ്തുത വിഭാഗക്കാരുടെ ജീവിത പുരോഗതിക്കായി എന്തെല്ലാം നടപടികളാണ് സ്വീകരിക്കാൻ ഉദ്ദേശിക്കുന്നത്; വിശദമാക്കാമോ?</p>	<p>(ഡി) കോവിഡ് മൂലം സാമ്പത്തിക സഹായം ആവശ്യമുള്ള നഗരങ്ങളിലെ തെരുവ് കച്ചവടക്കാർക്ക് തങ്ങളുടെ ഉപജീവനം പുനരാരംഭിക്കുന്നതിന് PM SVANidhi പദ്ധതി പ്രകാരം, 2020 മാർച്ച് 24 ന് മുമ്പ് കച്ചവടം ആരംഭിച്ച തെരുവ് കച്ചവടക്കാർക്കായി 7% പലിശ സബ്സിഡിയോടു കൂടി ബാങ്ക് വായ്പ നൽകിവരുന്നു. 10,000/- രൂപ, 20,000/-രൂപ, 50,000/-രൂപ എന്നിങ്ങനെ 3 തവണകളായിട്ടാണ് വായ്പ ലഭ്യമാക്കുന്നത്.</p>

സെക്ഷൻ ഓഫീസർ

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Government of Kerala
2019



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2018-20

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 8 } Vol. VIII }	തിരുവനന്തപുരം, ബുധൻ Thiruvananthapuram, Wednesday	2019 ഫെബ്രുവരി 13 13th February 2019	നമ്പർ } No. } 340
		1194 കുംഭം 1 1st Kumbham 1194 1940 മാഘം 24 24th Magha 1940	

GOVERNMENT OF KERALA

Local Self Government (DC) Department

NOTIFICATION

G.O. (P) No. 10/2019/LSGD.

13th February, 2019

Dated, Thiruvananthapuram, 1st Kumbham, 1194

24th Magha, 1940.

S. R. O. No. 113/2019.—In exercise of powers conferred by section 38 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2017) the Government of Kerala hereby frame the following scheme, namely:—

SCHEME

1. *Short title, extent and commencement.*—(1) This Scheme shall be called as the Kerala Street Vendors (Protection of Livelihood, Regulation of Street Vending and Licensing) Scheme, 2019.

(2) It extends to the whole State of Kerala

(3) It shall come into force at once.

2. *Definitions.*—(1) In this Scheme, 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) “Form” means the form appended to this scheme;

(c) “Government” means the Government of Kerala;

(d) “rules” means, the Kerala Street Vending (Regulation and Licensing) Rules, 2016;

(e) “no vending zone” means an area within the jurisdiction of a Town Vending Committee where no street vendors are permitted;

(f) “time restricted vending zone” means an area in a town where vendors are permitted only during certain hours of the day or certain days of the week as fixed by the Town Vending Committee;

(g) “Town Vending Committee” means a committee constituted under rule 4 of the rules.

(2) Words and expressions used, but not defined in this scheme shall have the same meanings respectively assigned to them in the Act and the rules made there under.

3. *Survey of street vendors.*—(1) The survey of street vendors shall be done for the existing vendors only and no survey shall be carried out by calling for particulars from the vendors by announcements.

(2) The survey of street vendors shall be carried out by the Town Vending Committee and completed within a period of six months from the date on which the Scheme is published in the Gazette.

(3) The respective Town Vending Committee shall, with the assistance of the staff placed at its disposal by the local authority concerned or by registration by self/outourcing competent agency/students of social work/social science/post graduates of social work/social science, carry out the survey. For this purpose, the local authority shall depute its staff or outsource to assist the said committee.

(4) The survey team shall proceed to enumerate the street vendors in a vending zone and shall record the details in Form I.

(5) Only the vendors who are found to be actually carrying on business in the streets shall be entitled to be enumerated.

4. *Certificate of vending.*—(1) The Town Vending Committee shall within a period of sixty days from the date of completion of survey of street vendors in a ward or zone of a local authority, issue the Certificate of Vending to each street vendor identified in the survey. Town Vending Committee shall issue certificate of Vending in Form II.

(2) A person who wishes to carry on street vending during the intervening period of two surveys may make an application to the Town Vending Committee in Form III which shall be disposed of by the Town Vending Committee within a period of sixty days from the date of its receipt.

5. *Terms and Conditions for issue of Certificate of vending.*—The certificate of vending shall be issued to a street vendor, subject to the terms and conditions that, he shall,—

(i) not have any other means of livelihood, except street vending;

(ii) not vend in any other place parallelly;

(iii) carry on street vending by himself or through any of his family members;

(iv) have completed the age of fourteen years;

(v) not lease, rent or sell the Certificate of Vending to others and shall give an undertaking to the Town Vending Committee to this effect;

- (vi) not have been prosecuted and convicted or penalized earlier for any reason or offense connected with vending such as adulteration, sale of narcotics etc.; and
- (vii) not be a legal heir of any person already holding a Certificate of Vending within the jurisdiction of the local authority concerned.

6. *The manner and mode of collecting vending fee by the town vending committee of the local authority.*—(1) All taxes, fees and charges may be leviable in accordance with the Act, rules and this scheme and which may be required to be collected by the local authority shall be collected by the Town vending committee of the local authority by means of electronic transfers into its accounts through bank transfer or in cash at its counters, at the counter of the local authority or through any agency appointed by the local authority.

(2) The monthly fees as fixed by the Town vending committee shall be collected yearly also if the town vending committee so desire and the monthly maintenance charges levied by the local authority for providing civic amenities to the street vendors under this scheme may also be realized or recovered on yearly basis if and when the local authority so desire.

(3) Where the Town vending committee of the local authority or the local authority may intends to revise the fee or charges on yearly basis, it may declare its intention to do so by publishing notice in local news papers and also affixing the notice on its notice board.

7. *Manner of renewal of certificate of vending.*—(1) Three months prior to the expiry of the vending certificate, the street vendor shall file an application for renewal of vending certificate in the office of town vending committee along with renewal fee of rupees one hundred. The certificate of vending shall be renewed for a period of three years.

(2) An acknowledgement receipt shall be issued to the applicant and necessary entries thereof shall be entered in the register maintained for the purpose.

(3) The application received shall be examined and scrutinized in the office of the Town vending committee and thereafter shall be placed before Town vending committee which may pass appropriate orders thereon.

(4) Street vendor fails to apply for renewal of certificate of vending even after the expiry of the period of the certificate shall be given thirty days time to file application without imposing any penalty for default. The street vendors who fail to file application on time may be asked to file an application by the town vending committee and deposit a renewal fee of ₹ 50 day and on expiry of thirty days from the date of affixing the list of defaulters on the notice board of the town vending committee. If the street vendor fails to renew the license, the certificate of vending will get cancelled, after the period of 30 days.

8. *Matters in which the certificate of vending may be suspended or cancelled.*—(1) The certificate of vending of street vendors shall be cancelled or suspended;

- (a) If he is carrying on vending in an area or place outside mentioned in certificate of vending;
- (b) If he has not attained the age (minimum age being 14 years) for eligibility for obtaining vending certificate;
- (c) If he has exceeded the area allocated to him by or under the certificate of vending and thus occupies additional space;
- (d) If he is a street vendor of food stuffs, and if found to be processing and selling food items without obtaining license for the same from the authorities concerned or getting registration under Food Safety and Security Act;
- (e) If he has constructed a permanent structure on the space allocated to him;
- (f) If he fails to get the certificate renewed after the expiry of grace period of one month with or without penalty;
- (g) If he has other source of regular income;
- (h) If the licensee counter any of the conditions of the certificate;
- (i) If the licensee sub-let the license.

(2) No Certificate of Vending shall be cancelled unless the holder thereof has been given a notice giving a period of 15 days to submit his reply to the allegation based on which the Certificate is proposed to be cancelled. The period of 15 days shall be counted from the date on which the notice is served on the vendor or delivered to his last known address.

(3) A Certificate of a Vending may be suspended for a fixed period of time for any violation of conditions of the Certificate which is rectifiable during such period of suspension.

(4) Where action has been initiated against a street vendor for violation of law or for causing public hazards or for failure to pay tax etc., the Town Vending Committee may suspend his Certificate of Vending after duly following the procedure specified in sub-paragraph (2):

Provided that no prior notice may be required in case of suspension of certificate of vending for a period of less than seven days in order to prevent commission of an act detrimental to public health and order.

9. *Classification of vendors.*—For the purpose of issue of Certificate of Vending, the vendors shall be generally categorized as follows, namely:—

(i) Stationary vendors:—Persons carrying on vending business in articles or goods in a particular place who carry the articles or goods and the pallets or other implements used by them for vending by human effort of not more than one person;

(ii) Mobile vendors:—Vendors sell commodities/services by self (headload/by means of walking) or using hand pulled or pedal powered vehicles not coming within the purview of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) and for which no licence to operate is required under any other for the time being in force;

(iii) Mobile vendors using motor vehicles:—Persons carrying on vending business using motor vehicles of any description, the operation or movement of which requires a license under the Motor Vehicles Act, 1988 (Central Act 59 of 1988) or any other law for the time being;

(iv) Other categories of vendors:—The Town Vending Committee concerned shall also identify other categories of street vendors such as vendors in weekly markets, heritage markets, festival markets and night bazaars as may be doing business within the jurisdiction of the said Committee and shall provide for the integration of such vendors or for a separate facility for such vendors to enable them to continue their business.

10. *Identity card.*—The Town Vending Committee shall issue an identity card to each street vendor in Form IV which is enabled to carry the biometric particulars of the street vendor.

11. *Criteria for issue of Certificate of Vending.*—The Town Vending Committee shall follow the following criteria for issuing of Certificate of Vending, namely:—

(a) the name of the street vendor enumerated in the survey of street vendors carried out by the Town Vending Committee;

(b) the street vendor is directly involved in street vending business;

(c) when there is shortage of place for vending, preference shall be given to the Scheduled Caste, the Scheduled Tribes, Other Backward Classes, Women, Persons with Disabilities, Transgender and Minorities;

(d) the Town Vending Committee concerned shall identify such of those vendors who are in need of preferential grant of Certificate of vending, after taking in to account;

(i) their disability, special or unique nature of business like trading craft items;

(ii) the special nature of vending or services offered by a class or group of vendors limited to a specific area or such other factors that may require a preferential grant of Certificate of Vending in order to preserve such unique businesses or services;

(iii) whether the street vendors are carrying on or offering services to the visitors to any tourist or pilgrim centers on a seasonal or time of the day basis.

(e) the availability of space and the holding capacity of the vending area.

12. *Vending Fees.*—(1) The vending fees for various categories of vendors shall be fixed by local authority as mentioned in the table below:—

TABLE

Sl. No.	Category of Street Vendors	Area	Vending Fee
(1)	(2)	(3)	(4)
1	Stationary vendor (fulltime)	Up to 10 square feet	1% of the Guideline value subject to minimum of ₹ 750 per annum
		From 10 to 25 square feet	2% of the Guideline value subject to a minimum of ₹ 1500 per annum
		More than 25 square feet	3% of the Guideline value subject to a minimum of ₹ 3000 per annum
2	Stationary Vendor (part time or time sharing)	Up to 10 square feet	0.5% of the Guideline values subject to a minimum of ₹ 375 per annum
		From 10 to 25 square feet	1.0% of the Guideline value subject to a minimum of ₹ 750 per annum
		More than 25 square feet	1.5% of the Guideline value subject to a minimum of ₹ 1500 per annum.
3	Mobile vendor (with motor vehicle)	Up to 10 square feet	₹ 750 per annum
		From 10 to 25 square feet	₹ 1500 per annum
		More than 25 square feet	₹ 3000 per annum

(1)	(2)	(3)	(4)
4	Mobile vendor (vehicle without motor)	Up to 10 square feet	₹ 375 per annum
		From 10 to 25 square feet	₹ 750 per annum
		More than 25 square feet	₹ 1500 per annum
5	Mobile vendor (headloads)		₹ 250 per annum

(2) The Town Vending Committee shall designate the vending zone as primary, secondary and tertiary, considering the commercial potentials, facilities and such other factors. The rate of vending fee shall be three times for primary and two times for secondary zone. For tertiary the rate is as provided in the table above.

(3) The vending fee shall be revised at least once in three years and shall be published in the notice board of the local authority concerned.

13. *Validity of the Certificate of Vending.*—The Certificate of Vending shall be valid for a period of 3 years from the date of issue or until the next enumeration of vendors whichever is earlier.

14. *Relocation of street vendors.*—(1) In case of relocation of street vendors under sub-section (1) of section 18 of the Act, it shall be subject to the following conditions, namely:—

(a) the relocation shall be done with the concurrence of the Town Vending Committee concerned;

(b) as far as possible, the street vendors shall be allotted locations in an adjoining area of equal or similar nature and importance as the original place;

(c) As far as possible, the density of the street vendors in the new area shall be maintained;

(d) the relocation shall be, as far as possible, in the same locality or area as is commonly identifiable.

(2) Where, the conditions specified in sub-paragraph (1) are not possible to be complied with, the relocation shall be done with the concurrence of the Town Vending Committee, recording the reasons for such departure from the above said conditions.

(3) Where the relocation is not possible in compliance of the conditions specified in sub-paragraph (1) and in case the vendors concerned either individually or as a group refuse to move or relocate, their Certificate of Vending shall be cancelled and they may be offered vending locations in other areas within the ward, zone or city and fresh Certificate of Vending shall be issued to them by the Town Vending Committee concerned. Such vendors shall form a special category of preferential vendors under this Scheme.

(4) The public purpose or public interest involved in the relocation of vendors under this Scheme shall have to be separately arrived at on the basis of the fact that such relocation shall be for the betterment of the general public inclusive or not inclusive of the street vendors. While weighing the livelihoods of the street vendors against the public purpose for which they are sought to be relocated, the importance of the project for which they are displaced and the resultant benefit to the general public shall be compared. Projects such as creation of road infrastructure, under or over bridges, expansion of roads, pathways, pedestrian plazas, provision for bus stops, parking places for motor vehicles, and such other similar activities shall deemed to be public purposes for which the vendors may be relocated. Such other purposes as are decided by the Town Vending Committee concerned as being beneficial to the public shall also be considered as public purposes for the relocation of street vendors.

15. *Principles of relocation of street vendors.*—Following principles are to be followed in the matters of relocation of street vendors:—

(1) Relocation may be resorted only in exceptional situations when it is necessitated by exigencies of public purposes warranting use of location or place for projects of public purposes.

(2) Affected street vendors shall be relocated at a place or site at least to restore them to pre evicted opportunities created by the infrastructure development projects at the place from which they were displaced and efforts should be made to accommodate the displaced vendors at newly built up infrastructure to enable them to use the new livelihood opportunities created by the new infrastructure and such place is declared as vending zone by the town vending committee of the local authority. Till such time, the new infrastructure is fully operational they can be accommodated at some suitable site where foot fall is similar to that from where they are displaced.

(3) It may be ensured that the loss of vendors is minimal in the process of relocation.

16. *Manner and method of eviction of vendors, seizure and disposal of goods.*—(1) A street vendor, whose Certificate of Vending is cancelled under section 10 of the Act, or who vends without a certificate of vending or who vends in a no-vending zone shall be liable to be evicted immediately from his place of vending and his vending articles and goods shall be seized by the local authority and kept in its custody.

(2) The articles and goods of such street vendors shall be seized under a proper inventory and the signature of the street vendor concerned shall be obtained in the same. Where the vendor refuses to sign the inventory, the Health Officer or Health Supervisor or Health Inspector of the local authority concerned shall attest the inventory in addition to the attestation by the officials seizing the articles.

(3) Where a vendor does not apply for the return of the articles and the goods seized by the local authority after the expiry of 24 hours, in case of perishable goods and after the expiry of fifteen days, in case of non-perishable goods, the local authority shall dispose of the same by a public auction. The proceeds of such auction shall be adjusted towards the charges and penalties, if any, that are payable by the vendor under the rules or the scheme and the cost incurred for conducting the auction. The balance, if any, shall be kept in a separate account and paid to the street vendor on his application.

(4) If a vendor or his legal heirs fail to claim the balance amount under sub-paragraph (3), within a period of three months, the same shall be forfeited by the local authority and deposited in its general account.

(5) Wherever action for relocation or evicting of street vendor is contemplated or evicting street vendor is contemplated under section 18 of the Act, the street vendor shall be served with a notice in writing to vacate the place:

(a) Served with a notice in case he is to be relocated due to exigencies of public purpose;

(b) Temporarily, in case his certificate of vending has been suspended;

(c) Permanently, in case his certificate of vending has been cancelled by the town vending committee;

(d) In case the vendor is vending without obtaining a vending certificate.

(6) The notice under sub-action (3) of section 18 of the Act shall be served by the local authority asking the vendor to vacate the place/space within thirty days.

(7) Where the vendor fails to vacate the place/space area within the period specified in the notice, the local authority shall evict him physically by its staff and if necessary with the assistance of police and goods and material found with him at the place shall be seized.

In the initial phase where the street vendors are located without any authority; the local authority can relocate the vendor considering the width of the street, traffic, volume of the street, presence of important institution like hospital, court, Govt. office etc. at a suitable place, identified by the local authority.

17. *Social audit.*—After each survey of street vendors, the Town Vending Committee, concerned shall conduct a social audit of its functions, as early as possible, with emphasis on the transaction of its business with regard to the street vendors in its territory, the various categories of businesses being carried by them, the change in the vending profile of any particular area, the financial situation of the street vendors, changes of

demand for goods or services from such street vendors, requirement for relocation of street vendors, need for issue of additional Certificates of Vending or for reducing the number of such Certificates due to physical constraints of space, economic viability of continuing the street vendors in their location, need for re-structuring the functioning of the Committee and its procedures, etc. This social audit shall be published and be made available at cost to any person who requires the same. A copy of the said audit shall be submitted to the local authority concerned.

18. *Restriction to use private places as vending zones and bar on using private lands for vending and restricted vending.*—As the street vendors are to be relocated under this scheme and the Act, the private places within the jurisdiction of a Town Vending Committee shall not be used as a vending zone unless a specific permission is granted by the Town Vending Committee concerned for that purpose. The Town Vending Committee shall permit private places as vending zones subject to the satisfaction that such zones are absolutely necessary. While doing so, the primary factor shall be the welfare of the street vendors of that area. No private vending zone shall be allowed if it will affect the street vendors of that area. On the other hand, private vending areas shall be allowed in order to accommodate the street vendors who need to be removed or relocated from public places. Permission for such private vending zones shall be given only if the number of vendors in such private vending zones together with the street vendors in that area shall not exceed 2.5% of the population of that vending zone, area or location. The density of vendors, sanitation, proportions of different businesses and infrastructural facilities of such places shall be regulated as per the Rules and this Scheme.

19. *Maintenance of cleanliness and charges payable to the Local Authority.*—(1) Every street vendor shall be responsible for the cleanliness of the immediate surroundings of the area allocated to the vendors in a vending zone.

(2) Every street vendor shall collect and process the waste generated by his business as instructed by the local authority.

(3) Every street vendor shall remit the vending fee specified in paragraph 12 every year as decided by the local authority.

(4) Every street vendor shall also remit the maintenance charges to the local authority concerned as and when the same is levied from the other shops.

(5) If the local authority is arranging systems for collection and disposal of waste then the street vendor is liable for compensate the cost of the same.

20. *Nodal Officer.*— The Executive Director, Kudumbashree shall be the Nodal Officer at the State level to co-ordinate all matters relating to street vending.

21. *Maintenance of register.*— Every Town Vending Committee shall maintain the registers containing the particulars of each Certificate of Vending issued by it for street vendors, such as the name of the street vendor, location for which the Certificate is issued, nature of business permitted, time of business, category and any other particulars to facilitate collection of data for future use.

22. *Identification of vending zones.*—(1) The Town Vending Committee shall within a period of six months from the date of the publication of this Scheme identify the 'vending zones', restricted vending zone and 'no vending zones' for street vending and shall publish the details in the notice board of the local authority concerned.

(2) The 'vending zones', restricted vending zone and 'no vending zones' shall be identified based on the potentials of the area of the street, volume of traffic, the number of pedestrians passing through the street and such other factors as may be material to identify the said zones in such a way that no or minimum inconvenience is caused to the general public using the street as well as the residents of the street and traders carrying on their business from the private properties abutting such street.

(3) The identification of the vending zones shall be done in consultation with the Traffic Police or Police having jurisdiction over the area concerned. The police may recommend a place to be a vending zone, the local authority concerned may accept, modify or reject the recommendations with due reasoning and designate a place or location as vending zone, as it deems fit.

(4) Principles for determining vending zones shall be,—

(A) an intensity of footfall, road width and density of the vehicular and pedestrian movement shall be the cornerstone for deciding vending zones.

(B) there shall be no restriction free vending zones in the city and no vending zone should be minimal. The town vending committee shall decide a particular street or market as vending zone or no vending zone on the basis of the following considerations, namely:—

(i) There shall not be any totally restriction free vending zones in the city. The holding capacity of an area would put the ultimate on the number of street vendors which can be positioned in any area. However, there shall not be any restriction on mobile vending in such area if vendors continuously move without affecting traffic and commuter movements.

(ii) Restricted vending shall be linked with the road width keeping in view of the following aspects, namely:—

(a) There shall not be any stationary street vending on road having width up to 3.5 meters. But street vending can be allowed in such roads if it is declared as non vehicular road.

(b) There shall not be any stationary vending on road having width between 6 meters to 9 meters. However, street vending can be allowed in such roads if such road is declared as one way vehicular road.

(c) There shall be only one side stationary vending on road having width between 12 meters to 24 meters, while both side stationary vending can be allowed on road having road width of 30 meters or above.

(d) The number of street vendors shall be decided by considering holding capacity of each designated vending area on such road.

(e) Such stationary vending shall be allowed after taking the clearance from the traffic police regarding the smooth vehicular and pedestrian movement. If required, road side parking shall be banned in such area where street vending is allowed.

(f) Mobile vending shall be allowed on such road looking to the traffic and pedestrian movement.

(iii) In the no vending zones; the town vending committee may decide the distance to be kept free from street vending near the important institutions like the Secretariat, District Collectorate, Office of the District Panchayath, Municipal Corporation, Municipality, Nagar Panchayath, Court Cantonment Board and State/Union Territory archaeological monument attracting a high footfall at its discretion taking into account the specifics of the area concerned.

(iv) The town vending committee shall determine special vending zones, for a fixed period, during festival, considering the local as well as general importance or relevance of the festival.

(v) Any person aggrieved by the designation of the vending zones in an area shall be entitled to make a presentation to the Town Vending Committee concerned. The Committee shall consider the same and dispose within a period of 30 days from the date on which the representation is received or in the next meeting of the Town Vending Committee, whichever is earlier.

(5) The identification of vending zones and no-vending zones shall be periodically reviewed by the Town Vending Committee once in three years in the same manner specified in sub-paragraph (2), particularly with reference to the growth or otherwise of the traffic and other developments in the area.

23. Manner of carrying vending activities on time-sharing basis.—

(1) The town vending committee shall determine vending activities on time sharing basis depending on the market needs.

(2) Street vendors shall not be discriminated while allotting time sharing vending activities.

24. The principle of determining holding capacity of vending zones and the manner of undertaking comprehensive census and survey.—

(a) Two and a half per cent of the population of the ward or zone or town or city, as the case may be, in accordance with plan for street vending shall be regarded as the holding capacity for accommodating the street vendors.

(b) The holding capacity of vending zone will be according to the vending site divided by total area of vending area.

25. Preparation of Street Vending Plan.—(1) The Town Vending Committee shall prepare a street vending plan. The holding capacity of the street vendors of any particular area or locality shall be limited to one percentage of the population of ward, zone or city, as the case may be.

(2) The Town Vending Committee, shall, identify the vending areas, based on the holding capacity, space available, number of vendors etc., and designate that area to be a vending zone duly keeping in mind all other relevant norms.

(3) The Town Vending Committee may resort to drawal of lots for issue of Certificate of Vending in a particular area, which is identified for vending. The unsuccessful applicants shall be given preferential right for relocation as prescribed in the Scheme.

(4) In areas having high population and low density of vendors and where there are adjacent vending areas having high density of vendors and low resident population, the Town Vending Committee shall devise methods to enable the relocation of street vendors to other population centres, so as to avoid inequitable concentration of vendors, heavy flow of traffic and the inconvenience of people in travelling to such high density vending areas.

*26. Vending on time sharing basis.—*The Town Vending Committee concerned shall, when it is necessary and expedient in order to accommodate more number of vendors or in case the nature of businesses is such that the vendors carry on their vending only during certain time of the day or certain days of the year or month or week, form Time Restricted Vending Zones, where the vendors shall be issued the Certificates of Vending specifically stating the hours or days or such other periods of business. The said restrictions shall form part of the basic conditions of the Certificate of Vending. Any violation of which will result in adverse consequences to the vendors.

*27. Capacity building.—*The Town Vending Committee concerned shall, when it is necessary, organize skill building training and entrepreneurship development training for the street vendors. The expenses for the training shall be met from the account of the Town vending committee or through sponsorship. Street vendors shall be given orientation on the rights, duties and obligations of the street vendors as per the Act.

[See paragraph 3(4) of the scheme]

The Kerala Street Vendors (Protection of Livelihood, Regulation of Street Vending and Licensing) Scheme, 2017

Questionnaire for enumerators of street vendor survey

I. Personal Details:

1. Name of the Vendor :
2. Permanent Address :
3. Present Address :
4. Type of residence :
5. Gender :
6. Age :
7. Category :
(General/SC/ST/OBC.....)
8. Educational qualification :
9. Details of other members in the family :
10. Mobile No. :
11. Bank Account No. if any, with name of Bank :
12. Aadhaar No. :
13. Any other ID card with type and number :
14. Details of Parents. :



Photograph

II. Details of Vending Zones:

15. Name of location/Road/ Street :
16. Name of ward :
17. Ward No. :
18. Ownership of vending zone/ area :
19. Importance of vending zone/area :
20. Land mark to identify the vending zone :
21. Type of vending zone (as observed during the interview) :

III. Nature of vending:

22. Area used for vending in square feet (average) :
23. Time (in months) from when vending is being done in this location :
24. Nature/means of vending :
25. Nature of Items being sold :
26. Time of vending in hours (from-to) :
27. Nature of vending (Change in vending location daily/ weekly/monthly) :
28. Type of vending (seasonal or throughout the year) :
29. If seasonal, specify period (in months) since vending is being done :
30. Type of ownership :
31. No. of persons employed/ Number of members in the enterprise :

IV. Other details:

32. Food safety license obtained or not :
33. Loan, if any :
34. If loan has been availed specify source of loan :
35. Total capital investment (in rupees) :
36. Adequate livelihood generated from street vending :
37. Average daily income (in rupees) :

FORM II
[See paragraph 4(1)]

Certificate of Street Vending Corporation/Municipality

Ref. No.:

Dated:

Street
Vendor's
Photographs
(passport
size)

This is to certify that Shri./Smt./.....
S/o Shri. residing at
and aged about years, is permitted to do vending.

Location.....Nature of vending.....time of
vending , subjected to the following conditions namely:—

Conditions

1. This Certificate is valid for.....years from the date of issue.
2. Certificate is non-transferable.
3. Street vendor shall abide by the trade related statutory laws especially for trading food articles.
4. The Street vendor shall not do any other vending business other than the one specified above.
5. The Street vendor shall manage and process the waste generated. The vendor shall keep the premises clean and neat.
6. The Street vendor shall ensure free movement of pedestrian and traffic. Other merchants should not be affected.
7. The Street vendor shall pay the fees and charges fixed by the local authority as prescribed.
8. The Street vendor should ensure that, prohibited articles, low quality products etc. are sold.
9. This Certificate is liable for cancellation for violation of any of the conditions stipulated in the rules in force.
10. The Street vendor shall always display the original Certificate of Vending and the Identity Card and shall produce them on demand by the authorities for verification at any time.

FORM III
[See paragraph 4(2)]

Application to Grant of Vending Certificate

From

Shri.....
S/o Shri.....
.....

To

The Chairperson,
Town Vending Committee
Zone.....of.....Corporation/Municipality

Sir,

Sub: Grant of Certificate of Vending – Request – Regarding.

I wish to do street vending business ofwithin the limit of theCorporation/Municipality/Town Panchayat. I request you to grant me a Certificate of Vending for doing the above business in the place or location designated by the Municipality/Corporation. I furnish the relevant details as follows:—

1. Name :
2. Resident Address (address proof to be attached—Voter ID/Family Card/Aadhaar Card No.) :
3. Date of Birth/Age :
4. Personal Identification marks :
5. Other Identification details of Vendor :
6. Nature of businesses :
7. Location of businesses :
8. Details of Legal-heirs :
9. Other particulars, if any :
10. Payment of details of vending fees (for grant of certificate of street vending) :

Affix
Passport size
Photograph

Signature of Applicant

FORM IV
(See paragraph 7)

Street Vendor Identity Card

Name of the Local body :



No.:

Date:

Name of Street Vendor :

Sex : M/F/TG

Location :

Ward No./Name of ward :

Type/category of vending :

Nature of vending :

Commodity of vending :

Approved Time for vending :

Present Address :

Age/Date of birth :

Permanent address :

Aadhaar No. :

Mobile No. :

Name of wife/husband/mother :

Signature:

Designation:

By order of the Governor,

T. K. JOSE,

Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Section 38 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending Act), 2014 empowers the State Government to frame scheme after due consultations with Local Authority and the Town Vending Committee by notification. Accordingly, Government have decided to make scheme.

The notification is intended to achieve the above object.