

## THE SECOND SCHEDULE

(See section 38)

Matters to be provided in the Scheme for Street Vendors framed by the appropriate Government:—

- (a) the manner of conducting survey;
- (b) the period within which certificate of vending shall be issued to the street vendors identified under the survey;
- (c) the terms and conditions subject to which certificate of vending may be issued to a street vendor including to those persons who wish to carry on street vending during the intervening period of two surveys;
- (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 to be paid on the basis of category of street vending, which may be different for different cities;
- (h) the manner of collecting, through banks, counters of local authority and counters of Town Vending Committee, vending fees, maintenance charges and penalties for registration, use of parking space for mobile stalls and availing of civic services;
- (i) the period of validity of certificate of vending;
- (j) the period for which and the manner in which a certificate of vending may be renewed and the fees for such renewal;
- (k) the manner in which the certificate of vending may be suspended or cancelled;
- (l) the categories of street vendors other than stationery vendors and mobile vendors;
- (m) the other categories of persons for preference for issue of certificate of vending;
- (n) the public purpose for which a street vendor may be relocated and the manner of relocating street vendor;
- (o) the manner of evicting a street vendor;
- (p) the manner of giving notice for eviction of a street vendor;
- (q) the manner of evicting a street vendor physically on failure to evict;
- (r) the manner of seizure of goods by the local authority, including preparation and issue of list of goods seized;
- (s) the manner of reclaiming seized goods by the street vendor and the fees for the same;
- (t) the form and the manner for carrying out social audit of the activities of Town Vending Committee;
- (u) the conditions under which private places may be designated as restriction free-vending zones, restricted-vending zones and no-vending zones;
- (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) the principles for determination of vending zones as restriction-free-vending zones, restricted-vending zones and no-vending zones;
- (za) the principles for determining holding capacity of vending zones and the manner of undertaking comprehensive census and survey;
- (zb) principles of relocation 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 vendors 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;
- (zc) any other matter which may be included in the scheme for carrying out the purposes of this Act.