

No.F8(Ga)(15)Rules/DLB/15/1144

Date: 15/02/16

NOTIFICATION

In exercise of the powers conferred by section 36 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act No. 7 of 2014), the State Government, hereby makes the following rules, namely:-

1.Short title and commencement.-(1) These rules may be called the Rajasthan Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2016.

(2)They shall come into force on and from the date of their publication in the Official Gazette.

2.Definitions.- In these rules, unless the context otherwise requires,-

(a)"Act" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014(Central Act No. 7 of 2014);

(b)"Form" means Form appended to these rules;

(c)" Schedule " means Schedule appended to these rules;

(d)"scheme" means a scheme framed by the State Government under section 38 of the Act; and

(e)"Town Vending Committee" means the body constituted under section 22 of the Act.

(2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.

3. Town vending committee.- (1) The State Government shall constitute a Town Vending Committee for every local authority as soon as the list of,-

(i) representatives of street vendors duly elected from amongst themselves in accordance with the procedure laid down in rule 4; and

(ii) the names of representatives of various social organisations duly short listed and recommended by the district administration in accordance with the procedure laid down in rule 5;

are received:

Provided that where the State Government may consider it necessary, it may, by order, provide for constitution of more than one Town Vending Committee by dividing the area of the local authority in different zones or may even provide for ward wise vending committees in places where the local area of the Municipal Corporation is very large and populous.

(2) Each Town Vending Committee for local area of any entire Municipal Corporation shall consist of,-

- (i) the Commissioner, Municipal Corporation; - Chairperson
- (ii) three members of the Municipal Corporation, - Members
nominated by the State Government,
- (iii) Medical Officer of the Municipal Corporation; - Member
- (iv) Town Planning Officer of highest rank - Member
posted in the Municipal Corporation;

- (v) Additional Commissioner, Police (Traffic) - Member
/Superintendent of Police;
- (vi) Ten representatives of the street vendors - Members
(three shall be women) duly elected by
street vendors from amongst themselves
in the manner laid down in these rules;
- (vii) Two representatives of the major market - Members
trade associations, nominated by
the State Government ;
- (viii) Two representatives of non- governmental - Members
organisations, nominated by the State Government;
- (ix) Two representatives of resident welfare - Members
societies, nominated by the State Government;
- (x) Representative of nationalized lead bank of - Member
the City, nominated by the State Government; and
- (xi) Additional or Dy. Commissioner of - Member Secretary
Municipal Corporation.

(3) When the State Government considers fit to constitute more than one Town Vending Committee for a city instead of Town Vending Committee for entire area which is large and populous, such Town Vending Committee shall consist of,-

- (i) Additional Commissioner or Dy. Commissioner; - Chairperson.
Municipal Corporation;
- (ii) Two members of the municipality representing - Members;
the area',
- (iii) Assistant Town Planner posted in the zone; - Member

- (iv) **Dy. Commissioner of police/Additional Superintendent of police;** - Member
 - (v) **Four representatives of street vendors (one shall be women) duly elected by the street vendors in the manner laid down in these rules;** - Member
 - (vi) **Representatives of market trade association, nominated by the State Government;** - Members
 - (vii) **Representatives of resident welfare society, nominated by the State Government ;** - Members
 - (viii) **Representatives of non-governmental organisations, nominated by the State Government; and** - Members
 - (ix) **an officer of the Municipal Corporation - Members Secretary**
- (4) **In municipal councils, the Town Vending Committee shall consist of,-**
- (i) **Commissioner, Municipal Council;** - Chairperson
 - (ii) **Two members of the Municipal Council;** - Member
 - (iii) **Senior Town Planner or his nominee;** - Member
 - (iv) **Dy. Superintendent of police or his nominee not below the rank of SHO of the local area;** - Member
 - (v) **Three representatives of street vendors (one shall be women) duly elected by street vendors from amongst themselves in the manner laid down in these rules;** - Member
 - (vi) **One representative of major market trade association, nominated by the** - Member

(vii) Representative of resident welfare society, - Member
nominated by the State Government; and

(viii) an officer of the Municipal Council. - Member Secretary

(5) In Municipal Boards, the Town Vending Committee shall consist of,-

(i) Executive officer, Municipal Board; - Chairperson

(ii) Dy. Superintendent of police or his - Member
representative not below the rank
of SHO of the local area;

(iii) Three representatives of street vendors - Member
(one shall be women) duly elected by
street vendors in the manner laid down
in these rules;

(iv) Two members of the Municipal Board; - Member

(v) One representative of the market trade - Member
association, nominated by the
State Government;

(vi) Sanitary Inspector, Municipal Board; and - Member

(vii) an officer/ official of the Municipal - Member Secretary
Board.

(6) In the election for representative of street vendors if due representation of the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and persons with disabilities is not found, the State Government shall nominate one additional member from amongst such categories in the Town Vending Committee.

(7) The term of the Town Vending Committee shall be Five years and may continue till new committee is formed in accordance with the Act and these rules;

4.Election of members of Town Vending Committee from amongst the street vendors.- (1) Where the local authority is a Municipal Corporation or a Municipal Council, the Collector shall appoint, by order, any officer in the District Administration not below the rank of Additional Collector as an Election Officer for electing required number of members representing street vendors in the Town Vending Committee for the local area of such local authority.

(2) Where the local authority is a Municipal Board, the Sub-Divisional Officer shall appoint, by order, any officer of revenue administration under him not below the rank of Tehsildar as an Election Officer for electing required number of members representing Street Vendors in the Town Vending Committee for a local area of such local authority.

(3) The Election Officer shall conduct elections for electing required members of the Town Vending Committee of a local authority in the manner provided in the,-

(i) first Schedule, when the Town Vending Committee for a local authority is being constituted for the first time after the commencement of the Act; and

(ii) second Schedule when the Town Vending Committee for a local authority is being constituted for second or subsequent time after the commencement of the Act.

of Town Vending Committee if,-

(i) he is convict of an offence involving moral turpitude;

(ii) he is mentally and/or physically incapable of discharging his duties as member of a Town Vending Committee.

5.Short listing of representation of trade associations, locality welfare societies and non-government organisations for nomination as members of Town Vending Committee.- (1)The Collector shall call for names of representatives from the trade associations, welfare societies, non-governmental organisations in the area of each local authority in his jurisdiction and after short listing the names supplied by respective bodies, recommend the names to the State Government.

6.Allocation of space for office and necessary staff to Town Vending Committee, time and place of meeting including office procedure of the Town Vending Committee.- (1)The local authority shall provide adequate space for office to the Town Vending Committee for the purpose of performing its functions under the Act and such officers and Staff as the State Government may determine by general or special orders from time to time.

(2)The venue of the meeting of Town Vending committee shall preferably be at the head office of the local authority but could be at other suitable place also as may be decided by the chairperson of the Town Vending Committee.

(3)The member secretary of the Town Vending Committee shall convene the general meeting of the Town Vending Committee as per directions of the chairperson of the said committee and items contained

in the agenda of the meeting, duly approved by the chairperson, shall be circulated among the members at least fifteen days before the date fixed for the meeting and such notice shall also be put on the designated website of the local authority.

(4) Two third of the total strength of the Town Vending Committee shall form the quorum of the meeting. No meeting shall be valid in the absence of quorum. A meeting which lacks quorum, shall be adjourned and no quorum is required in the adjourned meeting.

(5) All decisions taken at the meeting of Town Vending Committee shall be based on the majority of members present in the meeting. Proceedings of the meeting drawn by the member secretary shall be authenticated by the chairperson under his signatures and shall be put in the next meeting of the Town Vending Committee for confirmation.

(6) The decisions of the Town Vending Committee shall be put on the notice board of the Town Vending Committee and may also be displayed on the website of the local authority, wherever such website is existing.

(7)(i) When any member elected by the street vendors, remains absent for three consecutive meetings, the chairman of Town Vending Committee shall issue show cause notice to such member asking him/her the reasons for absence within 15 days and where the member submits satisfactory reasons for absence, his membership may be continued but in a case where the reasons given are not found to be satisfactory or the member fails to furnish reply, the chairperson of the Town Vending Committee may, after recording reasons, report the

such a member. The State Government shall pass appropriate orders thereon.

(ii) When the State Government receives reports from Town Vending Committee that any nominated member fails to attend three consecutive meetings of the Town Vending Committee without assigning any reason, he shall be removed by the State Government and a new person of the same category shall be nominated in his place.

(iii) Any Member of Town Vending Committee, convicted of an offence by a competent court, may be liable to be removed.

(iv) a person shall be removed from membership if,-

(a) he is declared as insolvent by a civil court;

(b) he becomes lunatic and certified as such by the Superintendent of Government Mental Hospital; and

(c) he becomes incapable to discharge functions as member.

(8)(i) The Meetings of the Town Vending Committee shall be held quarterly i.e. at least a meeting in every three months but urgent meeting can be convened by the chairperson at any time even by given shorter notice of 24 hours;

(ii) An urgent meeting may also be convened when half of the members representing the street vendors so request the chairperson of the Town Vending Committee by putting a memorandum duly supported by not less than half of the non official members.

(iii) Such requisitioned urgent meeting will have to be convened within 72 hours by serving short notice of 24 hours.

(9) The first meeting of every Town Vending Committee should be convened within thirty days from the date of constitution thereof.

(10)(i) For the purpose effective examination of any issue coming for consideration of the Town Vending Committee, it may form one or more sub-committees to examine any specific issue, such a committee may consist such other subject experts besides members of the Town Vending Committee. The Report of such committees in the form of suggestion shall be placed before Town Vending Committee and the decision thereon of the Town Vending Committee alone shall be final and conclusive.

(ii) When a Town Vending Committee is constituted for the first time, the local authority shall circulate for information of Town Vending Committee members, a status paper on street vending in the town/city giving necessary details.

7. Record of street vendors, how to be maintained.-(1) The Town Vending Committee at its office shall maintain all necessary records as are required to be maintained by it under the Act and these rules and also a soft copy duly updated into its computer system.

(2) All records relating to allotment of space to street vendors shall be preserved at least for five years and beyond that till the period of currency of their licenses and for such further period in cases where any litigation with regard to any place is pending.

(3) All records including maps, road plans showing existing site of street vending shall be a permanent record of Town Vending Committee.

8. Grant of certificate.- (1) Every street vendor, identified under the survey carried out under sub-section (1) of section 3 of the Act, who

who completed the age of eighteen years may be issued a certificate of vending by the Town Vending Committee, subject to such terms and conditions and within the period specified in the scheme including the restrictions specified in the plan for street vending:

Provided that a person, whether or not included under the survey under sub-section (1) of section 3 of the Act, who has been issued a certificate of vending by the local authority before the commencement of the Act, whether known as license or any other form of permission (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 license or permission for vending.

(2)Where, in the intervening period between any two surveys, any person seeks to vend, the Town Vending Committee may grant a certificate of vending to such person, subject to the scheme, the plan for street vending and the holding capacity of the vending zones.

(3)Where the number of street vendors identified under sub-rule (1) or the number of persons seeking to vend under sub- rule (2) are more than the holding capacity of the vending zone and exceeds the number of persons to be accommodated in that vending zone, the Town Vending Committee shall carry out a draw of lots for issuing the certificate of vending for that vending zone and the remaining persons shall be accommodated in any adjoining vending zone :

Provided that where it is not possible to accommodate such surplus vendors even in the adjoining zone, they may be relocated by the Town Vending Committee in a suitable zone.

9. Annual returns.-(1) Annual returns of the Town Vending Committee shall be prepared every year within three months after the closing of financial year and after approval of chairperson, the same shall be uploaded on the designated website and copy thereof shall be sent to the State Government through the Commissioner/ Executive Officer of the local authority.

(2) The annual return which shall be prepared under sub-rule(1) may among other things contain information with regard to,-

(a) detail of surveys, if any;

(b) number of application received disposed, pending, denied and number of certificate of vending issued to street vendors;

(c) suspension and revocation/cancellation of certificate of vending;

(d) number of meeting of Town Vending Committee held during the period;

(e) new vending zones, if any, identified or old vending zones if any altered/modified owing to change in holding capacity;

(f) number of registered street vendors being accommodated in various vending zones;

(g) social audit activities; if any, conducted during the year;

(h) welfare schemes for street vendors, if any launched by Town Vending Committee during the year; ~~(mention if any proposal which was mooted for making available credit to street vendors or bringing them under any insurance scheme)~~

(3) The State Government or the local authority, as the case may be, may require the Town Vending Committee to furnish other return in such form as may be sought from time to time.

10. Publication of Summary of the scheme.- The State Government shall frame Scheme in consultation with the concerned local authority and the Town Vending Committee for the town/city which may contain all or any of the matters provided in Second Schedule of the Act and notify the same in the Official Gazette. After the notification of scheme, summary of the same shall be published in two local news papers by local authority concerned.

11. Street vendors charter, data base and carrying out of social audit.-(1) Every Town Vending Committee shall publish a street vendors charter in at least two local news papers specifying therein the time within which the certificate of vending shall be issued to the Street vendors and as also the time within which the same shall be renewed .

(2) The charter shall also specify the time limit for performance of other activities related to the street vendors.

(3) Every Town Vending Committee shall maintain a register in form 'A' of all the street vendors to whom certificate of vending has been issued.

(4) The Town Vending Committee shall carry out social audit of the street vending through internal auditors in collaboration with external consultants so as to ascertain the level of performance as to attainment of objectives achieved in protecting the livelihood of street vendors and also to assess what general impact it has made on the people of the area

by regulating the system, and thus a status report on the implementation of the Act.

12.Allowances to the chairperson and members.-The chairperson and members of the Town Vending committee shall receive such allowances for attending meetings of the Town Vending Committee as may be determined by the chairperson of the local authority with the approval of the State Government and shall be paid out of the fund of the local authority to which the licensing fee and the charges received from street vendors are credited:

Provided that in the case of non-quorum adjourned meeting, only fifty percent of allowance shall be payable.

13.Allowances to be paid to a non-official member and a person associated/invited by the Town Vending Committee or its committee.- A person invited by the Town Vending Committee or the sub-committee thereof shall be paid honorarium as may be fixed by the chairperson of Town Vending Committee and shall be paid out of the fund of the local authority to which the licensing fee and other charges received from street vendors are credited.

14.Functions of Town Vending Committee.- (1)The Town Vending Committee shall perform the following functions, namely:-

- (i)final decision about vending zones along with their holding capacity as worked out by the local authority;
- (ii)issuing, withholding, suspending and cancelling of the vending certificate;
- (iii)to initiate social audit on the implementation of the Act;

will seek the base materials/data from the local authority. The bye-laws and the planning will identify the vending zones. In case the Town Vending Committee has got any points to be made about the Zoning or about the area to be allotted to each individual vendor, it may draw the attention of the planning and local authority to suitably modify the plan. After obtaining the opinion of the authority, the Town Vending Committee may take an appropriate decision;

(v) on the recommendation of the local authority, the Town Vending Committee may declare the natural market, weekly market, heritage market, festive market, seasonal market, night bazaar and niche market with their exact location and specify the areas in case of seasonal market or festive market; and

(vi) other functions, as specified in the Act.

(2) While making recommendations and suggested changes about the vending zones, the Town Vending Committee shall have to take in to consideration the road width, traffic flow and the pedestrian movement in the area concerned.

(3) All decisions of Town Vending Committee shall be recorded in the minute book of the Town Vending Committee and authenticated copies may be issued to all concerned on demand.

15. Grievance Redressal and Dispute Resolution Committee .-

(1) The State Government shall constitute a Grievance Redressal and Dispute Resolution Committee at each divisional headquarters consisting of the following, namely:-

(i) a person who has been a Civil Judge or a - chairperson

Judicial Magistrate;

(ii) a retired Deputy Commissioner - Member
of Municipal Corporation or
retired Commissioner of Municipal
Council or ~~retired~~ Executive Officer of
Municipal Board, in the division ; and

(iii) a prominent social worker, - Member
preferably having experience
in the field of informal economy
including street vending in the same region:

(2) The tenure of Grievance Redressal and Dispute Resolution Committee will be for a period of three years, or till such time as Government appoints a new committee:

Provided that retired Civil Judge, Judicial Magistrate and retired officer of the local authority shall cease to be the chairperson or member of the committee, as the case may be, upon attaining the age of 65 years or expiry of term, whichever is earlier.

(3) The chairperson and members of the Grievance Redressal and Dispute Resolution Committee shall receive such honorarium or remuneration as may be determined by order, by the State Government from time to time.

(4) The State Government may determine by order as to which of the Grievance Redressal and Dispute Resolution Committee of a division may sit periodically or which may sit on whole time basis, taking into consideration the work load.

having grievance for any matter under the Act, except those matters as are specified in section 11 of the Act, may file an application in writing in Form 'B' either himself or through his affiliated union or association, specifying his/her name, place of residence and details of the grievance.

(2) The application may be filed by a street vendor within 30 days from the date of occurrence of any incident causing the grievance.

(3) The Grievance Redressal Committee, shall first fix up the date for preliminary hearing of the applicant to determine the maintainability of the case under the Act as also to see whether a *prima facie* case of grievance is made out or not;

(4) The outcome of the preliminary hearing shall be pronounced at the conclusion of the hearing and shall be recorded in writing;

(5) The Grievance Redressal Committee may grant or refuse, interim relief, if any, prayed by the street vendor and reasons therefor shall be recorded in writing;

(6) A Copy of the order made under sub-rule (4) and (5) shall be provided to the street vendor on demand;

(7) Where any *prima facie* case is made out, a notice calling upon the concerned authority to file written reply within 30 days with respect to grievances set out by the street vendor and a copy of the written reply so filed will be furnished to the street vendor, free of cost;

(8) The street vendor may, if desire, file a rejoinder to the aforesaid written reply within a period of fifteen days from the date of receipt of the written reply and if any rejoinder is filed, a copy thereof shall be supplied to the concerned authority;

(9)The committee will give personal hearing to both parties and shall pass an order, in writing, with reasons for taking the decision, within one month.

17.Appeal.-(1) Any person aggrieved by any order/ decision of the Town Vending Committee with regard to issue of certificate of vending or cancellation or suspension of certificate, may appeal to the chairperson of the local authority concerned, within thirty days from the date of order or decision of the Town Vending Committee, in Form-C

(2)The chairperson of the local authority concerned shall dispose the appeal within thirty days from the date of filing of appeal and shall make a speaking order while either accepting or rejecting appeal after giving a personal hearing to the appellant as well as the Town Vending Committee.

(3)Any person who is aggrieved by the decision of the Grievance Redressal Committee may prefer an appeal to the chairperson of the local authority concerned in Form-D within thirty days from the date of order of the Grievance Redressal Committee. A copy of the order of the Grievance Redressal Committee against which appeal is being preferred shall be appended with the appeal.

(4)On receipt of the appeal the chairperson of the local authority concerned shall issue a notice to the parties concerned intimating the date and time of hearing.

(5) The parties shall appear before the chairperson of the local authority concerned on the date fixed for hearing which shall not be later than thirty days form the date of filing of appeal.

(c) The chairperson of the local authority shall pronounce its order, within forty five days, after final hearing of both the parties.

FIRST
SCHEDULE
[see rule 4(3)(i)]

Procedure for election of representatives
of street vendors.

1. For the purpose of conduct of first election of representatives of street vendors when the Town Vending Committee is not in existence and no official register of street vendors is available with the local authority, the Election officer will ask the associations of the street vendors, if any, in existence in the local area of a local authority, to supply the up-to-date list of its members. Where there are no associations, the Election Officer shall call for a general meeting of street vendors through the local authority and enlist them for election purposes.
3. For the purposes of first such election, on receipt of such list, the Election Officer shall publish such list on its notice board and ask the members of the street vendors to file objection, if any, by a date specified by him. After hearing objections, if any, received by the date fixed or specified by him, he may declare the list as final for the purpose of election of representatives of street vendors to be made as members of Town Vending Committee.
4. The final list, so declared at para 3 above, will be the electoral roll for the purposes of election.
5. The Election Officer shall fix the time, date and venue for holding election and call upon the electorates through their associations/ unions to participate in the process of electing of representatives of street vendors to be appointed as members of Town Vending Committee. When the street vendors assemble at the venue on the date

propose the names of persons to be elected as their representatives. A simple procedure of proposer and seconder may be adopted in an open house meeting and where more names are proposed and seconded than the number of persons required to be elected, the Election Officer shall give the candidates time to withdraw from contest and when by that process, and after withdrawal of candidature from the contest only such number of candidates remain as are required to be elected, he may then and there declare them as elected. If the number of candidates is more than the persons to be elected, he shall distribute voter slips duly printed or typed with the name of each candidate thereon and ask the electors to cast their secret voting choice by affixing a seal against the name of the candidate. When this process is over, the votes polled shall be counted by the team of polling staff engaged by the Election Officer. This will be under the direct control and supervision of the Election Officer. When all the votes polled are counted and voter choice is known, a list depicting number of votes received by each candidate, in descending order will be prepared and required number of candidates may be declared as elected by the Election Officer and a certificate to that effect shall be issued by the Election Officer.

6. All sheets of paper on which the proceedings of election were held as well as list of members who attended and cast their votes and the ballot slips shall be sealed in an envelop by the Election Officer and deposited in the office of the collector and shall be preserved for six months.

7. Any dispute as to such election can be raised before the Collector within 15 days from the date of declaration of election result. The Collector shall decide the same in a summary manner at the earliest time and his decision thereon shall be final.

**SECOND
SCHEDULE
[see rule 4(3)(ii)]**

**Procedure for elections
representative of Street Vendors**

1. The Election Officer shall conduct elections of the members of a Town vending committee representing the street vendors in the area of a local authority.
2. As soon as the notification expressing the intention of the State Government to conduct elections for members of a Town Vending Committee representing the street vendors has been issued the Election Officer shall determine the date, time and place for conduct of elections, if not specified by the State Government.
3. The notice of election shall be circulated among the street vendors engaged in the vocation of street vending in the area of jurisdiction of the Town Vending Committee, by any of the following modes, namely;-
 - (a) by public notice to be published in two prominent daily newspapers in hindi language;
 - (b) affixing on the notice board of the Election Officer.
4. The notice shall contain information regarding,-
 - (i) the number of members to be elected category wise;
 - (ii) the date on which, the place at which and the hours between which nomination papers shall be filed, such date being not less than seven clear days before the date fixed for election or if that day happens to be public holiday, the next succeeding day which is not a public holiday;

Explanation: The term "public holiday" means any day which is a public holiday under section 25 of the Negotiable Instruments Act, 1881 (Central Act No. xxvi of 1881) or any day which has been notified by the State Government to be a public holiday

(iii) the date and the time for scrutinisation of the nomination papers; and

(iv) the date, place, and time of polling.

4. The local authority shall prepare a list of street vendors engaged in the vocation of street vending in the area of jurisdiction of the Town Vending Committee as it stood on thirty days before the date fixed for inviting the nominations, and publish copies of the said list by affixing them upon the notice board at the office of the Town Vending Committee, not less than ten days prior to the date fixed for inviting nominations. The list shall specify the registration number/certificate of vending and the name of the street vendor, the name of the father or husband, as the case may be, and the address of the street vendor. It shall be the duty of the Town Vending Committee of the local authority, as the case may be, to bring up-to-date register of street vendors and such other register as the Election Officer may require and hand over such records or registers to the Election Officer thirty days prior to the date fixed for the purpose of election. A copy of the list shall be supplied by the Town Vending Committee or the local authority or Election Officer, as the case may be, to any street vendor on payment of such fee as specified by the local authority.
5. The nominations of the candidates for election shall be made in Form-E which shall be supplied by the Election Officer to any street vendor, on the cost price thereof as fixed by the local authority.
6. The candidate shall make a security deposit of rupees two thousand in cash or bank draft or order payable to the local authority concerned along with

votes polled, the security deposit shall be forfeited to the local authority.

7. Every nomination paper shall be presented in person by the candidate himself or by his proposer or seconder to the Election Officer. The Election Officer shall enter on the nomination paper its serial number and certify the date and hour at which the nomination is received by him and shall immediately give a written acknowledgement for the receipt of the nomination paper which shall bear the seal of the Town Vending Committee and the Election Officer. Any nomination paper which is not received on or before the date and time fixed for its receipt shall be rejected.
8. (i) After the receipt of nomination papers, the Election Officer shall take up the scrutiny of the nomination papers;
(ii) The Election Officer shall examine the nomination papers and decide objections, if any, be made by any person in respect of any nomination, either on such objection, or on his own motion and after such summary inquiry, if any, as the Election Officer thinks necessary, reject any nomination:

Provided that the nomination of a candidate shall not be rejected merely on the ground of a incorrect description of his name or the name of his proposer or seconder, or any other particulars relating to the candidate or his proposer or seconder, as entered in the list of street vendors referred to in clause 4 if the identity of the candidate, the proposer or seconder, as the case may be, is established beyond reasonable doubt.

(iii) Contesting candidates or the proposer or seconder may examine the nomination papers with reference to the electoral roll i.e. the list of street vendors.

- (iv) The Election Officer shall endorse on each nomination paper his decision accepting or rejecting the same as the case may be, and if the nomination paper is rejected, he shall record in writing a brief statement of his reasons for such rejection;
- (v) The Election Officer shall not allow any adjournment of the proceedings except when such proceedings are interrupted or obstructed by riots or affray or by causes beyond his control;
9. The list of valid nominations as decided by the Election Officer with names in english alphabetical order and addresses of the candidates as given in the nomination papers shall be displayed/published on the notice board of Town Vending Committee and the Election Officer on the same day on which the scrutiny of the nomination papers is completed.
10. Any candidate may withdraw his candidature by notice in writing signed by him and submitted in person, at any time after the presentation of his nomination paper but before 05.00 pm on the day following the day on which the valid nominations are published, to the Election Officer of the Town Vending Committee. A notice of withdrawal of candidates once given shall be irrevocable.
11. If the number of candidates whose nomination papers have been declared valid, does not exceed the number of candidates to be elected, the Election Officer shall announce the names of all such candidates and declare them to have been duly elected to the Town Vending Committee after the closing hour of the day of withdrawal of candidatures fixed under clause 10 above. If the number of candidates whose nominations are valid exceeds the number to be elected, the Election Officer shall arrange for conducting a poll on the date fixed for the purpose. The Election Officer may appoint one or more polling officers as may be necessary for conducting the poll. Ballot paper to be used shall be as prescribed in Form-F

papers, copy list of street vendors/voters and such other articles as may be necessary for the conduct of elections. The ballot box shall be so constructed that ballot papers can be inserted therein but cannot be taken out there from without the boxes being unlocked. A contesting candidate may, appoint an agent in Form-G to represent him where polling is held to identify the voters and to watch the recording of votes. Such form shall contain the consent of the agent.

13. Canvassing by any person at the place where elections are to be conducted shall be prohibited.

14. Immediately before the commencement of the poll, the Election Officer shall show the empty ballot box to such persons as may be present at the time and shall then lock it up and fix his seal. The candidate or his agent may also affix his own seal, if he so desires.

15. Every street vendor/voter who desires to exercise his right to vote shall be supplied with a ballot paper containing the names of contesting candidates arranged in the english alphabetical order either printed type written or photo copied according to convenience, on the ballot paper. The ballot paper shall also bear the seal of the Town Vending Committee and also the initials of the Election Officer, and further contain a column, for the voter to inscribe a mark [x] with the rubber seal supplied by the polling officer against the names of person to whom he wants to vote.

16. Each polling station and where there is more than one polling booth at a station, each such booth shall contain a separate compartment in which the street vendors/voters can record their votes in secrecy.

17. No ballot paper shall be issued to a street vendor/voter unless the polling officer is satisfied that the street vendor/voter concerned is the same person as noted in the list furnished to him. On receipt of such ballot paper the

street vendor/voter shall proceed to the polling compartment set apart for the purpose and indicate the person or persons in whose favour he exercises his vote by inscribing a mark [x] with the rubber seal supplied by the polling officer against the names of the candidate or candidates, as the case may be, and put the ballot paper in the ballot box kept for the purpose with utmost secrecy. If owing to blindness or other physical infirmity or illiteracy, the street vendor/voter is unable to inscribe the mark on the ballot paper, the polling officer and where no such polling officer is appointed, the Election Officer shall ascertain from him the candidate or candidates in whose favour he desired to vote, inscribe the mark [x] on his behalf and put the ballot paper in the ballot box.

18.If at any stage of the polling, the proceedings are interrupted or obstructed by any riot or affray or if at such elections, it is not possible to take the poll for any sufficient cause, the Election Officer shall have the power to stop the polling, recording his reasons for such action. The Election Officer shall fix another date for polling in such a case.

19.No street vendor/voter shall be admitted after the hours fixed for the poll but a voter, who enters the premise where ballot papers are being issued before the close of the polling hour shall be issued the ballot paper and allowed to vote.

20.The counting of votes shall take place immediately after close of the poll. If this is not possible, the ballot box shall be sealed with the seal of the Election Officer and the contesting candidates or their agents, if they so desire, and deposit with the local authority for safe custody, the Election Officer shall then announce the next day of counting. The votes shall be counted by or under the supervision of the Election Officer. Each candidate and his authorised agent shall have a right to be present at the time of counting. But absence of any candidate or his agent at the time of counting

The number of votes secured by each candidate and the result of the elections shall be announced by the Election Officer as soon as the counting is over.

21. The Election Officer shall send the names of elected representatives of street venders to the State Government through the Collector/Sub-Divisional Officer, as the case may be without any delay.

22. In case of equality of votes, the Election Officer shall declare the election result by tossing coin.

23. The ballot paper shall be rejected by the Election Officer if,-

(i) It bears any mark by which the street vendor's vote can be identified;

(ii) It does not bear the seal of the Town Vending Committee or the initials of the Election Officer,

(iii) The mark indicating the vote thereon is placed in such a manner as to make it doubtful to which candidate the vote has been cast;

(iv) It is so damaged or mutilated that its identity as a genuine ballot paper cannot be established.

24. After sending the names of elected representatives of street vendors to the State Government, the complete result of the election and a report thereon shall be communicated by the Election Officer to the local authority as well as to the State Government within three days after the declaration of result.

25. After sending the report of election, the Election Officer shall handover the ballot paper and records relating to the elections of the members of the Town Vending Committee to the local authority in a sealed cover. These shall safely be preserved by the local authority for the period of six months.

26. Any dispute as to such election can be raised before the Collector within Fifteen days from the date of declaration of result. The Collector shall decide the same in a summary manner at the earliest time and his decision thereon shall be final.

FORM-A

[See rule 11(3)]

Register of registered street vendors

| S.No Reg.No. | Name of the Street Vendor with age and father's/ husband's name, address | stationary or mobile Vendor | | male/ female | category Gen/SC/ST/ OBC/minority /disabled | period for which certificae is valid | Renewed up to | other information | signature of the licencing authority |
|-----------------|--|---|---|-----------------|---|---|------------------|----------------------|---|
| | | in case of stationary vendor stall Number allotted with description of place. (Nature of business, articles being sold) | in case of mobile vendor Area of operation with mode and nature of articles being sold | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

FORM 'B'
[See rule 16 (1)]

**APPLICATION TO THE GRIEVANCE REDRESSAL AND DISPUTE
RESOLUTION COMMITTEE FOR THE REDRESSAL OF GRIEVANCE OR
RESOLUTION OF DIPUTE OF STREET VENDORS**

| | | | |
|----|--|---|--|
| 1. | Name and address of the applicant | : | |
| 2. | Registration number/case number/ID number | : | |
| 3. | place of vending-- (give full details of location zone, ward, etc.) | : | |
| 4. | Nature of vending (Tick the appropriate)-- (a) stationary (b) mobile (c) any other category (if other, please specify the category) | : | (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> |
| 5. | Date of issue of certificate of vending (attach a copy of certificate of vending if issued) | : | |
| 6. | Grounds of redressal of grievance or resolution of dispute (give full details and attach more pages, if required) | : | |

Signature of applicant

DECLARATION

1. _____, the applicant, do hereby solemnly declare that what is stated above is true to the best of my information and belief.

place:

Date:

Signature of applicant

Note,--- please attach all the relevant documents along with the application.

FORM 'C'
[See rule 17 (1)]

**APPEAL TO THE LOCAL AUTHORITY AGAINST THE DECISION OF THE
GRIEVANCE REDRESSAL AND DISPUTE RESOLUTION COMMITTEE**

| | | | | | | | | | | | | |
|-----------|--|--|---|-----|--|--|-----|--|--|-----|--|--|
| 1. | Name and address of the applicant | : | | | | | | | | | | |
| 2. | Registration number/case number/ID number | : | | | | | | | | | | |
| 3. | place of vending-- (give full details of location zone, ward, etc.) | : | | | | | | | | | | |
| 4. | Nature of vending (Tick the appropriate)-- (a) stationary (b) mobile (c) any other category (if other, please specify the category) | : | <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;">(a)</td> <td style="width: 10%;"></td> <td style="width: 80%; text-align: center;"><input style="width: 80%;" type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">(b)</td> <td></td> <td style="text-align: center;"><input style="width: 80%;" type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">(c)</td> <td></td> <td style="text-align: center;"><input style="width: 80%;" type="checkbox"/></td> </tr> </table> | (a) | | <input style="width: 80%;" type="checkbox"/> | (b) | | <input style="width: 80%;" type="checkbox"/> | (c) | | <input style="width: 80%;" type="checkbox"/> |
| (a) | | <input style="width: 80%;" type="checkbox"/> | | | | | | | | | | |
| (b) | | <input style="width: 80%;" type="checkbox"/> | | | | | | | | | | |
| (c) | | <input style="width: 80%;" type="checkbox"/> | | | | | | | | | | |
| 5. | Decision of the Committee (attach the copy of the decision of the Dispute Redressal Committee, giving: (a) the number of the decision; and (b) the date of the decision.) | : | | | | | | | | | | |
| 6. | Grounds of appeal (give full details and attach more pages, if required) | : | | | | | | | | | | |

Signature of appellant

DECLARATION

I, _____, the appellant, do hereby solemnly declare that what is stated above is true to the best of my information and belief.

Place:

Date:

Signature of appellant

Note. ___ Please attach all the relevant documents along with the appeal.

FORM-D
[See rule 17 (3)]

**APPEAL TO THE CHAIRPERSON OF THE LOCAL AUTHORITY AGAINST THE
DECISION OF THE GRIEVANCE REDRESSAL COMMITTEE**

| | | | |
|----|--|---|--|
| 1. | Name and address of the applicant | : | |
| 2. | Registration number/case number/ID number | : | |
| 3. | place of vending-- (give full details of location zone, ward, etc.) | : | |
| 4. | Nature of vending (Tick the appropriate)-- (a) stationary (b) mobile (c) any other category (if other, please specify the category) | : | (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> |
| 5. | Date of issue of certificate of vending (attach a copy of certificate of vending, if issued) | : | |
| 6. | Nature of Grievance | : | |
| 7. | Grounds of appeal (give full details and attach more pages, if required) | : | |

Signature of appellant

DECLARATION

I, _____, the appellant, do hereby solemnly declare that what is stated above is true to the best of my information and belief.

Place:

Date:

Signature of appellant

Note,--Please attach all the relevant documents along with the appeal.

Form-E
(See Clause 5 of the Second Schedule)
[rule 4]

**NOMINATION FORM FOR ELECTION OF MEMBERS OF TOWN VENDING
COMMITTEE**

To

The **Election Officer**,
.....
Town **Vending Committee**
.....

Sir,

I,.....,wife/ son/ daughter of Shri.....,street vendor vending in the area of jurisdiction of the Town Vending Committee, (Registration/ Certificate of Vending No.....) hereby propose the name of Shri/Smt wife/son/daughter of Shri..... and a street vendor of the said Town Vending Committee (Registration/Certificate of vending No.....) as a candidate for the post of member of the said Committee for the election to be held on.....

Name and signature of the proposer.....
Registration/Certificate of Vending No.....
I,.....,wife/son/daughter of Shri.....
Registration/ Certificate of Vending No.....of.....Town
Vending Committee, hereby second the above proposal.

Name and Signature of the Seconder.

Registration/Certificate of Vending No.....

DECLARATION BY THE CANDIDATE

I,.....,Wife/son/daughter of Shri.....
Registration/Certificate of Vending No..... of
.....Town vending committee, agree to my nomination for the election as
Member of the.....Town Vending Committee.

I Further declare that-

- (i) I am a registered street vendor of the said Town Vending Committee:
- (ii) I am eligible to vote:
- (iii) I have not incurred any disqualification for election as member of the said Town Vending Committee under the provisions of the street vendors (Protections of Livelihood and Regulation of Street Vending) Rules, 2016.

Name and Signature of the Candidate

Registration/Certificate of Vending No.....

(FOR OFFICE USE ONLY)

Received the nomination form at.....a.m/p.m.on.....

Signature of the Election Officer.....

Seal

ACKNOWLEDGEMENT

Received the nomination form of.....presented by Shri/Smt/
Ms.....candidate/proposer/seconder for election at
.....a.m /p.m. on.....

Signature of the Election Officer.....

Seal

Form-F
(See Clause 11 of the second Schedule)

Serial No.....

**BALLOT PAPER FOR ELECTION OF MEMBER OF A TOWN VENDING
COMMITTEE**

Ballot paper for elections of member of a Town vending Committee whose elections are to be conducted under second Schedule appended to the Rajasthan Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2016.

TheTown Vending Committee

.....

.....(Name of the local authority)

please mark [x] against one of the candidate

| SI.No | Name of the candidate | Registration/Certificate of Vending No. | Mark for casting vote |
|-------|-----------------------|---|-----------------------|
| | | | |

(Counterfoil)

Ballot paper for the post of.....

Date of Election.....

Si.No.....Registration/Certificate of Vending

No..... ballot paper.

Form-G
(See clause 12 of the second Schedule)

[See rule 4]

I,.....,son/wife/daughter of Shri.....,street vendor vending in the area of jurisdiction of the Town Vending Committee,..... (Registration/Certificate of vending No.....) contesting for election of Member of the said Committee, hereby nominate the following person as my election agent/counting agent in the election of members of the said Town vending committee to be held on.....(specify the date):-

Name and Signature of the Candidate

Registration/Certificate of Vending No.....

I,....., son/wife/daughter of Shri.....

Address.....

.....
am willing to be the election agent/account agent.

Name and Signature of the Agent

By the order of the Governor,



(Purushottam Biyani)
Joint Secretary to Government

NO.F.8(G)(15)/Rules/DLB/15/ 1145-1595
Copy for information and necessary action:-

Jaipur, Dated: 15/02/16

01. P.S. to Pr. Secretary to Hon`ble Chief Minister, Rajasthan.
02. P.S. to Hon`ble Minister, Local Self Government Department, Raj.
03. P.S. to Pr. secretary, Local Self Government Department Rajasthan.
04. P.A. Director and Joint Secretary, Local Bodies Rajasthan Jaipur.
05. All Divisional Commissioner/ District Collector Rajasthan.
06. All Officers of the Directorate/ DDRs Local Bodies Rajasthan.
07. All Mayor/President/Chairmen. Municipal Corporation /Council/
Board of Rajasthan.
08. All Commissioner/Executive Officer/Municipal Corporation /
Council/Board of Rajasthan.
9. PRO/CMAR Director Local Bodies Jaipur.
10. Superintendent Central Govt. Press for Publication in the next Extra
ordinary Gazette and sending 10 copies to this department.
11. Guard file.


Senior Joint Legal Remembrancer