

U.P. Street Vendors within the area of an Industrial Development Authority (Protection of Livelihood and Regulation of Street Vending) Rules, 2018

UTTAR PRADESH

India

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Rule

U-P-STREET-VENDORS-WITHIN-THE-AREA-OF-AN-INDUSTRIAL-DEVELOPMENT AUTHORITY (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) RULES, 2018

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U.P. Street Vendors within the area of an Industrial Development Authority (Protection of Livelihood and Regulation of Street Vending) Rules, 2018Published vide Notification No. 248/77-4-18-89N-14, dated 2.2.2018, published in the U.P. Gazette, Extraordinary, Part 4, Section (Ka), dated 2.2.2018, pp. 13-24No. 248/77-4-18-89N-14, dated 2.2.2018, published in the U.P. Gazette, Extraordinary, Part 4, Section (Ka), dated 2.2.2018, pp. 13-24. - In exercise of the powers under Section 36 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Act No. 7 of 2014), the Governor is pleased to make the following rules with a view to protecting the right of urban street vendors and regulating street vending activities.

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Street Vendors within the area of an Industrial Development Authority (Protection of Livelihood and Regulation of Street Vending) Rules, 2018.(2)They shall be applicable to all Industrial Development Authorities in the State of Uttar Pradesh.(3)They shall come into force with effect from the date of their publication in the Gazette.

2. Definitions.

(1) In these rules unless context otherwise requires, -(a) "Act" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Act No. 7 of 2014); (b) "Certificate of Vending" means the certificate issued by the Town Vending Committee to authorise a vendor for the vending in such area as may be specified in the certificate; (c) "Form" means a form appended to these rules; (d) "Industrial Development Authority" means the Industrial Development Authority constituted under Section 3 of the Uttar Pradesh Industrial Area Development Act, 1976 (Act No. 6 of 1976); (e) "Maintenance Fee" means the amount determined by the Industrial Development Authority for the civic amenities and facilities provided to a vendor in the vending zone; (f) "No Vending Zone" means any area, place, location or a zone or part thereof which is declared for not carrying on vending activities; (g) "Plan" means a plan prepared under Section 21 of the Act; (h) "Restricted Vending Zone" means an area, place location or a zone or part thereof where vending activities are permitted during certain period of time; (i) "Restriction Free Vending Zone" means an area, place or location or a zone or part thereof where a street vendor may be allowed for street vending activities without any restriction; (j) "Scheme" means the scheme framed by the State Government under Section 38 of the Act; (k) "Vending Charges" means the charges paid by a vendor from time to time who has been issued certificate of vending. (2) Words and expressions not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Prohibition.

(1) No person shall, without certificate of vending under these rules, cover any place, display or install any thing in connection with sale or provide services or goods by vending on any public place or open space. (2) No person shall sell his wares or provide his services by vending or hawking in any area or place other than mentioned in the certificate of vending. (3) No street vendor shall have the right to carry on the business of street vending activities in any area and place for which they do not have certificate of vending given by the Town Vending Committee.

4. Constitution of Town Vending Committee.

(1) There shall be constituted a Town Vending Committee in each Industrial Development Authority in accordance with the provisions of Section 22 of the Act. The term of the Committee shall be for a period of two years from the date of its first meeting: Provided that the State Government may dissolve a Town Vending Committee if it is of opinion that the Committee is not functioning in accordance with the provisions of the Act, rules and scheme made thereunder and may constitute a fresh Town Vending Committee in the place thereof. (2) Each Town Vending Committee shall consist of, -(a) the Chief Executive Officer or any other official authorised by the Chief Executive Officer, as the case may be, who shall be the Chairperson; (b) eleven member nominated by the State Government in consultation with the Chairperson; (c) the number of members nominated on the basis of merit in transparent manner by the Chairperson to represent the Non-Government Organisation and the Community Based Organisations shall be two; (d) remaining members shall be nominated from amongst following categories -(i) Chief Medical Superintendent/Chief Medical Officer; (ii) one representative of the traffic police, nominated by the Senior Superintendent of

Police;(iii)one representative of the local police, nominated by the Senior Superintendent of Police;(iv)representatives of the city level registered market associations and traders associations nominated by the Chief Executive Officer of Industrial Development Authority whose number shall not be more than two;(v)not more than two members from Residents Welfare Associations nominated by the Chief Executive Officer of Industrial Development Authority;(vi)one representative of the district administration nominated by the District Magistrate;(vii)one representative of the lead bank, nominated by the Chief Manager;(viii)one representative of the Planning Department, nominated by the C.A.P.;(ix)one representative of the Uttar Pradesh Power Corporation nominated by the Chief Engineer/Project Engineer;(x)one representative of the Fire Department, nominated by the Chief Fire Officer;(xi)an officer of the Industrial Development Authority, nominated by the Chief Executive Officer or any other official authorised by the Chief Executive Officer, as the case may be, who shall act as Member-Secretary.(3)The term of the members appointed other than the ex-officio members shall be two years. However, the members who have completed the term of two years, may be considered for reappointment.(4)If in the opinion of the State Government any member of Town Vending Committee persistently defaults in the performance of his duties imposed on him by/or under the Act or these rules or abuses his powers, the State Government or the Chief Executive Officer or any other official authorised by the Chief Executive Officer may, by order, remove such member from the Town Vending Committee:Provided that such member shall be given an opportunity of being heard before his/her removal.

5. Manner of Election among Street Vendors.

(1)A member from street vendors shall be elected in following manner -(a)the Industrial Development Authority concerned shall publish a notice calling for application from registered associations of the street vendors for membership of Town Vending Committee, in any two prominent daily newspapers having circulation in such Industrial Development Authority Area. A copy of the notice shall also be displayed in any conspicuous place in the local markets under the jurisdiction of the Industrial Development Authority;(b)the aforesaid notice shall contain, amongst other things, the date of publication of notice, from for the application, the last date and manner of submission of the application;(c)the aforesaid notice shall be published thirty days prior to last date for the submission of the applications for membership of Town Vending Committee;(d)any person, being a member of any association may apply to his association for the membership of Town Vending Committee along with the proof of his/her identity, address and the character certificate;(e)the association of street vendors may elect its members out of the members applied therefore under clause (d) and recommend for membership of Town Vending Committee;(f)the Industrial Development Authority shall seek informations, with respect to particulars of the applicants recommended under clause (e) details of work experience, particularly in the area of street vending within the jurisdiction of the Industrial Development Authority and such other details as it may think fit;(g)clause (e), the Chief Executive Officer or any other official authorised by the Chief Executive Officer shall allot a unique application number to each recommended applicant and communicate to all applicants as well as the vendor associations;(h)if recommendations received are more than the required numbers, the Industrial Development Authority shall select the required members on the basis of lottery. Such lottery shall be held in the presence of the interested

parties;(i)the Industrial Development Authority shall publish the aforesaid informations and also the list of nominated members of Town Vending Committee on its website;(j)the formation of Town Vending Committee shall be published on website of the concerned Industrial Development Authority.(2)The Chief Executive Officer or any other official authorised by the Chief Executive Officer may appoint a Committee consisting of three officers of the Industrial Development Authority for the purpose under sub-rule (1).

6. Functions of Town Vending Committee.

- The functions of Town Vending Committee shall be:(a)to conduct a survey of all existing street vendors within the area under its jurisdiction and to ensure their accommodation in the vending zones subject to the norms and holding capacity of the vending zone;(b)to issue certificate of vending subject to such terms and conditions and within such period as specified in the scheme including the restrictions specified in the plan for street vendor;(c)to cancel or suspend the certificate of vending where street vendor commits breach of any terms or conditions specified for regulating street vending after giving him an opportunity of being heard;(d)to ensure that the identity card should be issued to every street vendor who has been provided certificate of vending;(e)to monitor the civic facilities to be provided to the street vendors by the Industrial Development Authority;(f)to recommend to the Industrial Development Authority for demarcating areas for vending with no restriction, areas with restriction with regard to the dates, days and time and, areas which would be earmarked as no vending zones;(g)to recommend to the Industrial Development Authority for preparing a plan/promote the vocation of street vendors covering the matter contained in the First Schedule of the Act;(h)to recommend to the Industrial Development Authority for determining nature of markets;(i)to set the terms and conditions for vending;(j)to collect fees or other charges;(k)to decide the standards regarding an area or a place or location to be made available to the vendors;(J)to ensure continuation and upgradation of weekly markets;(m)to monitor the implementation and execution of vending scheme framed under Section 38 of the Act;(n)to fix vending fee from time to time;(o)to furnish return or annual report from time to time to the Industrial Development Authority and the State Government;(p)to maintain and update records of the street vendors in details;(q)to publish street vendors charter;(r)to carry out social audit of its activities;(s)to send recommendations to the State Government to undertake promotional measures of making available credit, insurance and other welfare schemes of social security to the street vendors;(t)to assess and determine maximum holding capacity of each vending zone;(u)to undertake periodic survey/census to assess the increase or decrease in the number of vendors in the Industrial Development Authority;(v)to ensure that the quality of products and services provided to the public is as per standards of public health, hygiene and safety laid down by the Industrial Development Authority;(w)to encourage and facilitate the organisations of weekly markets, festival bazaars, night markets to celebrate important occasions, holidays including city/town/ market formation day etc.:(x)to ensure that those mobile vendors who have been allotted stalls/vending spots/ vending areas are actually using them and take necessary action to ensure that these are not rented out or sold to others; and(y)any other functions as may be assigned from time to time by the State Government or the Industrial Development Authority concerned.

7. Meeting of Town Vending Committee.

(1)The Town Vending Committee shall meet at least quarterly in every year for the transaction of business at such place and such time as may be decided by its Chairperson within the jurisdiction of the Industrial Development Authority.(2)A list of business to be transacted at every meeting except an adjourned meeting shall be sent to each member of the Town Vending Committee at least twenty four hours before the time fixed for each meeting:Provided that if the list of business is sent by post it shall be so sent that it may be served to the members within stipulated time.(3)The Chairperson of the Town Vending Committee may wherever he thinks fit, and shall, upon the requisition made in writing by not less than one-third of the total number of members of the Committee, call a meeting of the Committee.(4)The Town Vending Committee may associate any person or persons having special knowledge or experience in respect of matters within the ambit of the Town Vending Committee and may pay him/her or them such allowance as may be determined by the Committee.(5)The Town Vending Committee may pay such allowance/Honorarium to the Street Vendors elected as members of Town Vending Committee and the members nominated under the provisions of clause (b) and (c) of sub-rule (2) of Rule 4, except the officials, as may be determined by it.

8. Quorum.

- No business shall be transacted at any meeting of the Committee unless at least one third of total number of members thereof, are present throughout the meeting.

9. Decision in the meeting of the Town Vending Committee.

(1)All matters required to be considered and decided by the Committee, shall be determined by a majority of members present and voting.(2)Keeping in view the exigencies of matter, the Committee may take decisions by circulation of the agenda.(3)The proceeding of the last meeting shall be confirmed in the next meeting of the Committee.(4)In order to implement the decisions of the Town Vending Committee, the Chief Executive Officer or any other official authorised by the Chief Executive Officer, as the case may be, shall designate an officer who shall be responsible for implementing its decisions.

10. Provision of office space, staff and Secretary for Town Vending Committee.

- The Industrial Development Authority shall provide the Town Vending Committee proper office space with adequate furniture, sufficient number of employees and an officer to act as Secretary of the Committee.

11. Sub-Committees.

(1)The Town Vending Committee may constitute one or more sub-committees to discharge any of its functions.(2)A sub-committee constituted under sub-rule (1) shall have such powers and performs such functions as the Town Vending Committee may from time to time delegate or confer.

12. Survey of street vendors.

(1)The Town Vending Committee shall conduct a survey of all existing street vendors within the area under its jurisdiction in the Industrial Development Authority in accordance with the provisions of Section 3 of the Act.(2)The survey shall be conducted sector or market wise as the case may be in Form 1 and all the data shall be stored digitally.

13. Registration of eligible vendors.

(1)All street vendors in each Industrial Development Authority, identified under the survey carried out under Rule 12 shall be registered on the basis of reliable means of identification at a nominal fee fixed by the Town Vending Committee.(2)Those who wishes to take up street vending for the first time shall have to apply for registration as vendor provided they give a statement on oath that they do not have any other means of livelihood and shall be personally operating from the vending spot, with the help of his family members. Certificate of vending to him may be issued subject to availability of space in the vending zone.(3)The power to register the vendors in Form 2 would be vested with the Town Vending Committee or any other official of the Industrial Development Authority authorised by it in this behalf.(4)Registration may be renewed after every three years.(5)The street vendors, identified under the survey who have not completed the age of fourteen years on the date of application shall not be registered.

14. Issue of certificate of vending.

(1)Every street vendor identified under survey carried out under Rule 11 and registered under Rule 13, shall be issued a certificate of vending in Form 3 by the Town Vending Committee or any officer of the Industrial Development Authority authorised by it in this behalf.(2)Every street vendor shall follow the conditions mentioned under Section 5 of the Act.(3)The certificate of vending shall be issued under any one of the following categories, namely -(a)a stationary vendor; or(b)a mobile vendor; or(c)vendors in weekly markets; or(d)any other category as may be specified in the scheme or as may be determined by the Town Vending Committee.(4)The terms and conditions on which the certificate of vending shall be issued after giving an undertaking in Form 2 are -(i)there shall be restrictions to build permanent structure for stationary vending;(ii)a street vendor shall pay the fees as determined by the Town Vending Committee regularly and timely;(iii)waste produced during street vending shall not be thrown on road, footpath or in drains or sewer line. The waste shall be collected in a dustbin and be handed over to the agency authorised by the Industrial Development Authority for door to door collection. For this service, they have to pay monthly user charges;(iv)every street vendor shall maintain cleanliness at the place of vending and the adjoining

areas. Food street vendors selling eatables shall maintain public health and personal hygiene;(v)vending shall be carried on only on the allotted place and time mentioned in the vending certificate. Any contravention shall be treated as violation of the Act and the scheme and the vendor shall be liable to such penalty as may be determined under the provisions of the Act which includes the cancellation of the vending certificate;(vi)a street vendor shall ensure maintenance of civic amenities and safety of public property in vending zone and the adjoining area;(vii)a street vendor shall ensure that smooth flow of traffic/vehicles and public convenience are not hindered due to vending activities;(viii)the street vendors shall not sell prohibited goods. They shall not do any such activity/work/business/service which pollutes the environment or causes public hindrance/nuisance.(ix)if necessary, a street vendor may be relocated under the provisions of Section 18 of the Act to the adjoining vending zone on the availability of space.(x)there shall be no vending activities on foot over bridges and flyovers;(xi)outside places of worship, vendors can be permitted to carry on vending activities and to sell items required by the devotees for offering to the deity or for like flowers, sandalwood, candles, agarbatties, coconut, chadaras, sweet etc. Town Vending Committee may take decision in this matter in accordance with the local circumstances and street vendors shall have to abide by these restrictions and instructions.(5)All things being equal the preference shall be given to the vendors belonging to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Women, persons with disabilities and minorities for issuing the certificate of vending.(6)The certificate of vending shall be issued for three years. If all the terms and conditions were followed sincerely and no violation of rules and Act was committed, the certificate of vending shall be renewed further for the period of three years.(7)Every street vendor who has been issued certificate of vending shall pay to the Industrial Development Authority such vending fee as may be fixed by the Town Vending Committee keeping in view the local conditions and categories of street vendors.(8)Every street vendor shall pay to the Industrial Development Authority such periodic maintenance charges for the civic amenities and facilities provided in the vending zones as may be determined by the Industrial Development Authority.(9)Where the number of street vendors in a vending zone is found more than the holding capacity of that zone, the Town Vending Committee shall carry out a draw of lottery for issuing the certificate of vending for that vending zone. Remaining street vendors shall be accommodated in any adjoining vending zone where the proper place for street vending is available.

15. Demarcation of vending zone.

(1)In every Industrial Development Authority certain areas, places, sectors or part thereof may be declared as restriction free vending zone, restricted vending zone and no vending zone by the Industrial Development Authority on the recommendation of the Town Vending Committee.(2)Vending places and vendor markets shall be determined by the Industrial Development Authority concerned for the stationary vendors who carry out vending activities on regular basis at a specific location.(3)There shall be vending zones in every Industrial Development Authority consisting of one or more sectors for mobile vendors, who may carry out vending activities in designated areas by moving from one place to another for vending their goods and services.(4)Certain places, areas, sectors may be designated as restricted vending zone where vendors may not carry out any kind of vending activities with regard to time and day etc.(5)Certain places, areas, sectors may be designated as no vending zone where vending activities shall be

completely prohibited.(6)The Industrial Development Authority may make bye-laws for the purposes of demarcation of vending zones keeping in view the local circumstances, needs, practicability and rationale.

16. Provision for creating new vending markets.

- In Master Plan prepared for the development of the Industrial Development Area specific provisions for creating new vending markets at the time of finalisation/revision of Master Plan and Sector Plans shall be made. The space reserved in such plans should be commensurate with the current number of vendors and their rate of growth on perspective basis be based on the rate of growth over preceding five years.

17. Cancellation or suspension of certificate of vending.

(1)Cancellation or suspension of the certificate of vending shall be done by the Town Vending Committee or Chief Executive Officer or any other official authorised by the Chief Executive Officer.(2)If the prescribed conditions are violated at any time by a street vendor or obstruction in traffic movement or nuisance from his vending activity is verified, the certificate of vending may be cancelled and necessary actions may be taken.(3)Where the holder of the certificate of vending commits breach of any of the terms and conditions specified under the Act or these rules or scheme made thereunder or has secured the certificate of vending through misrepresentation or fraud or forgery, as the case may be or is selling items in open which are in violation of norms, the Town Vending Committee or Chief Executive Officer or any other official authorised by the Chief Executive Officer, may suspend the certificate of vending during the enquiry and investigation for such period as if or he/she thinks fit or after issuing him a show cause notice in Form 4 and may cancel the certificate of vending after giving an opportunity of hearing.

18. Responsibility of a street vendor.

(1)Every street vendor shall have the right to carry on the business of street vending activities in accordance with the terms and conditions mentioned in the certificate of vending.(2)Every street vendor who possesses a certificate of vending, shall in case of his relocation, be entitled for new site or area, as the case may be, for carrying out his vending activities as may be determined by the Industrial Development Authority in consultation with the Town Vending Committee.(3)Where a street vendor occupies space on a time sharing basis he shall remove his goods and wares every day at the end of the time sharing period allowed to him.(4)Every street vendor shall maintain civic amenities and public property in the vending zone in good condition and not damage or destroy or cause any damage or destruction thereof.(5)Every stationary street vendor may be provided an area of not exceeding 2 metres x 2 metres wherever available suitably in vending zone in the manner that the vehicular and pedestrian traffic shall not be obstructed and access to shops and residences shall not be blocked.(6)There shall be no vending activities on foot over, over bridges and flyovers.(7)Every street vendor shall not create any noise by shouting or playing any instrument or music for attracting the public or customers.(8)Every street vendor shall extend full cooperation to the Industrial Development Authority conservancy staff for cleaning the places, of his/her vending

and also to the other staff for carrying on any development work.(9)Every street vendor shall keep his surroundings neat and clean.(10)No structure of any type shall be made at the vending area or place.(11)Sale of prohibited goods by a street vendor shall, completely be restricted.

19. Relocation of street vendor.

(1)Street vendor who possesses a certificate of vending may be relocated by the Industrial Development Authority if, -(a)ward or part thereof or the place is declared to be a no vending zone for any public purpose;(b)construction and development for maintenance of civic amenities or other infrastructure is undertaken;(c)there is hindrance, obstruction or disturbance in traffic and transportation maintenance of law and order situation areas;(d)the number of street vendors are more than holding capacity in the vending zone;(e)there is pressure of traffic and transportation and congestion over it;(f)there is any other reason which is proper in view of the Town Vending Committee.(2)The relocation should be made keeping in view the availability of space, transportation, movement of traffic and density of population. The Industrial Development Authority on the recommendation of the Town Vending Committee shall determine the holding capacity of the area in light of the said criteria and local needs.(3)The proceeding of relocation of street vendors shall be done in view of the following conditions -(a)the place for which the certificate of vending has been issued is urgently required for most essential public purposes;(b)relocation of street vendor shall be done in such a way that he/she may at least, maintain his/her livelihood;(c)as far as possible assets of street vendor shall not be destroyed;(d)the street vendor shall not be relocated without the process of law;(e)notice of thirty days for the relocation of a street vendor shall be given in Form 5;(f)A street vendor who fails to vacate the place within the time mentioned in the notice shall be relocated from the place by force as may be determined by the Chief Executive Officer or any other official authorised by the Chief Executive Officer.

20. Eviction of street vendors.

(1)A street vendor may be evicted by the Industrial Development Authority if -(a)his/her certificate of vending has been cancelled under Section 10 of the Act;(b)he/she does not have a valid certificate of vending;(c)he/she is found carrying on street vending activities without certificate of vending;(d)he/she has violated the provisions of the Act and the rules made thereunder;(e)the Industrial Development Authority or any officer authorised by it in this behalf thinks proper and justified.(2)A street vendor shall only be evicted after giving one month notice in Form 6.(3)If a street vendor fails to comply with the notice under sub-rule (2) and does not vacate the place, the Industrial Development Authority or any officer authorised by it shall evict him physically by such force as may be deemed fit.

21. Seizure and reclaiming of goods.

(1)If a street vendor does not comply with the notice issued to vacate place, after expiry of one month the Industrial Development Authority may also seize the goods of such street vendor.(2)Seizure and reclaiming of goods shall be done under the provisions of Section 19 of the Act.(3)A street vendor may submit an application to reclaim his goods to the Chief Executive Officer

or any other official authorised by the Chief Executive Officer, as the case may be.(4)The fee for reclaiming the seized goods shall be determined by the Town Vending Committee or any officer of Industrial Development Authority authorised by it in this behalf.(5)The Chief Executive Officer or any other official authorised by the Chief Executive Officer, as the case may be, may release the goods after payment of the fee fixed under sub-rule (4) and taking an undertaking from the street vendor whose goods have been seized that he/she shall not carry on street vending activities on evicted place or at any other place in the zone.

22. Issue of Identity Card.

(1)Every street vendor who has been issued certificate of vending shall be issued Identity Card in Form 7 duly signed by an officer of the Industrial Development Authority authorised by the Town Vending Committee.(2)Identity Card shall be kept in the pocket of street vendor and shall be shown on demand of any officer authorised by the Town Vending Committee or the Industrial Development Authority.

23. Facilities to be provided to street vendors.

(1)Subject to the availability, following facilities may be provided to the street vendors in the vending zone by the Industrial Development Authority -(a)facility of solid wastes disposal;(b)facility of public toilets;(c)facility of drinking water;(d)facility of light;(e)any other facility which is considered to be necessary by the Industrial Development Authority concerned.(2)(a)financial assistance to a street vendor may be provided so as to make him/her capable of conducting the business, self-help groups may be constituted by the groups thereof by own contributions, loans from financial institutions and grants from various schemes etc. A fund may be established and financial assistance may be provided to the members of self-help groups;(b)group insurance scheme may be introduced for street vendors who have been issued certificate of vending;(c)for the promotion of social status and for the welfare schemes of social security of the street vendors, help of Non-Government Organisations, street vendors associations and unions and other welfare organisations may be taken.

24. Appeal against the decision of Town Vending Committee.

(1)Any person who is aggrieved by any decision of the Town Vending Committee may prefer an appeal to the Chief Executive Officer or any other official authorised by the Chief Executive Officer, as the case may be, within thirty days of receipt of the order.(2)A copy of the order of Town Vending Committee and other relevant records and documents shall be attached while filing the appeal.(3)The appellant shall submit his papers in the office of the Chief Executive Officer or any other official authorised by the Chief Executive Officer and shall get its acknowledgement.(4)Date of hearing shall be fixed and summons shall be sent to give an opportunity of hearing to the appellant as well as the Town Vending Committee.

25. Manner of redressal of grievances and resolution of disputes of street vendors.

(1) For the purpose of considering the applications made in writing by the street vendors for redressal of grievances or resolving of disputes an application shall be given to the Executive Committee or to a Committee constituted by the Industrial Development Authority consisting of the Chief Executive Officer or any other official authorised by the Chief Executive Officer, as the case may be, of the Industrial Development Authority as Chairperson and two other members of the Industrial Development Authority. (2) On receipt of the application regarding the grievance or the dispute the committee shall collect reports and comments of the Chief Executive Officer or any other official authorised by the Chief Executive Officer, as the case may be, on the matter and, shall take steps for redressal of such disputes within one month from the receipt of the application. Steps taken in this regard shall be communicated to the applicant in writing within forty five days from the receipt of the application. (3) Any person who is aggrieved by the decision of the committee constituted under sub-rule (1) may prefer an appeal to the Industrial Development Authority within thirty days from the communication of details under sub-rule (2). (4) The Industrial Development Authority shall issue summon to the appellant and after giving him an opportunity of being heard within one month may dispose of the appeal within one month next following.

26. Monitoring.

- Monitoring of the provisions prescribed in these rules and the Act shall be carried on at the following levels - (a) Town Vending Committee shall be responsible to monitor the implementation of policies and provisions mentioned in these rules; (b) Town Vending Committee or any officer authorised by it in this behalf shall maintain a register of up-to-date information regarding each street vendor, stationary or mobile, or of weekly, market containing name of such street vendor, space allotted to him, nature of business or vending carried out by him, category of street vending, details of appeals, redressal of grievances, resolving of the disputes, vending fee, registration fee, penalty, maintenance charges, user charges, cash book and such other particulars as may be relevant to the street vendors; (c) The Industrial Development Authority shall, continuously monitor the functioning and activities of the Town Vending Committee; (d) An annual report of the Town Vending Committee, containing the following details, shall, as soon as possible, be laid before the Industrial Development Authority which may thereupon take such actions as it thinks fit - (i) Number of street vendors (stationary mobile and of weekly markets) who have been issued certificate of vending; (ii) Revenue collected (head wise); (iii) Promotional and other measures undertaken; (iv) Number of appeals received and disposed; (v) Number of grievances redressed and disputes resolved; (vi) Expenditure incurred; (vii) Steps taken for the welfare and betterment of street vendors; (viii) Best practices (if any); (ix) Any other achievement on the subject; (e) The Town Vending Committee shall furnish the annual report to the Principal Secretary, Department of Industries, State of Uttar Pradesh after the approval of the Industrial Development Authority.

27. Role of Principal Secretary, Department of Industries, State of Uttar Pradesh.

- The Principal Secretary, Department of Industries, State of Uttar Pradesh shall -(1)control, supervise, exercise general superintendence, monitor the implementation of the scheme by the Industrial Development Authority;(2)get the periodical inspection of implementation of the scheme at the field level conducted;(3)review the performance of implementation of the scheme;(4)issue necessary directives/guidelines to the Industrial development Authority and issue directives for successful implementation of the scheme;(5)conduct scrutiny of annual report submitted by the Industrial Development Authority and issue directives for successful implementation of the scheme;(6)cause to be made concurrent evaluation of implementation of the scheme;(7)lease with the state and Central Governments for accomplishing the objectives of the Scheme;(8)act as final authority in the matters referred to by the Industrial Development Authority in connection with the disputes arisen during implementation of the scheme;(9)discharge any other function entrusted or delegated by the State Government.

28. Designation of State Nodal Officer.

- The Principal Secretary, Department of Industries, State of Uttar Pradesh or any officer authorised by him in this behalf shall be the State Nodal Officer for coordination of all matters relating to street vending at the State Level.

29. Reference of dispute and question to the Principal Secretary, Department of Industries, State of Uttar Pradesh.

- In the event of any dispute or question arising in the exercising of powers under jurisdiction of the Town vending Committee or relating to other matters, the dispute or question shall be referred to the principal Secretary, Department of Industries, State of Uttar Pradesh whose decision shall be final.

30. composition of offences.

(1)The street vendor who contravenes or abets the contravention of the provisions of these rules or scheme made hereunder may be punished with fine which shall not be less than one thousand and five hundred rupees and not more than two thousand rupees for every offence as may be determined by the Industrial Development Authority.(2)Notwithstanding anything contained in sub-rule (1), any offence punishable under these rules may be compounded by the chief Executive Officer or any other official authorised by the Chief Executive Officer, on realisation of the amount of the thousand rupees as compounding fee.