

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Municipal Corporation and Municipalities - Policy on simplification of regulation of street vending / hawking in urban areas through earmarking specific areas and time etc – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEPARTMENT (F2) DEPARTMENT

G.O.Ms.No.398, M.A.

Date:25.9.04

Read the following:

1. G.O.Ms.No.567, M.A. Dt:9.9.1993.
2. G.O.Ms.No.265, Dt:19.7.2004.

ORDER:

The Government of India in National Policy on Street Vendors argued that the current licensing system of street vendors needs to be reformed so that the street hawkers and rickshaw pullers who belong to poorest section of the urban society are able to pursue their modest livelihood without extortion.

2. Hawking and Street Vending provide low cost services to the urban households and are highly labour intensive because of their small scale of operations. Therefore, they are among the earliest occupations to enter for the urban poor. Hence as a public policy, there is a need to ensure more and more of the urban poor are gainfully employed in self employment activities which indeed had been thrust of the State Government under Swarna Jayanthi Shahari Rozgar Yogana (SJSRY) Schemes and formation to vibrant urban self help groups Development of Women and Child in Urban Areas (DWACUA) on the pattern of Rural Development of Women and Child in Rural Areas (DWACRA) groups.

3. On the other hand, the Municipal Corporations / Municipalities and police Department have been expressing their serious concerns about the relaxation of current quantitative licensing system due to possible social cost that these occupations of street vending and hawking entail such as street congestion, lack of sanitation and hygiene in the food items sold by the street vendors and deterioration of law and order and security.

4. Keeping in view of the need for simplification of street vendor / hawker regulatory process and also taking into account of the various concerns of the departments, the present policy is made.

5. Target Group:

The Policy aimed at the mobile street vendors and hawkers in the entire town. Street vendors or Hawkers include:

- ☞ Mobile vendors moving from place to place trading by carrying commodities / articles on head, topudu bandi, cycle, rickshaw etc., who are called differently in different areas.
- ☞ Those who do not trade from a specific / static place continuously and move from place to place based on local demand and community needs from time to time.
- ☞ Vendors who carry their activities intermittently in different places.
- ☞ Festival / special occasions vendors
- ☞ Weekly fairs – vendors.

6. This policy does not cover:

- ☞ Stationary or static vendors with permanent / semi permanent structures including bunks undertaking business on regular basis.
- ☞ Street side vending by established / licensed / organized business houses and traders.
- ☞ Those carrying dangerous and offensive trades.

The salient features of this system are as follows:

7. For identification of street vendors, demarcation of vending areas, registration and constitution of Town Vending Committee etc., guidelines appended to this order shall be followed.

Free Access to Trade Based on Zones

8. Existing restricted licensing of system of street vendors based on quantitative limits shall be scrapped forthwith and replaced by dividing in each urban area into green, amber and red zones for signifying free access, trade and or time based access for which a predetermined fee may be collected and prohibited access respectively. The salient features of this system are:

- ☞ Free / Green vending area – areas where street vending is allowed without restrictions.
- ☞ Restricted / Amber vending area – area where vending is permitted or specific days and or time and or by trade.
- ☞ No / Red vending area – area where no street vending is permitted.
- ☞ The division into green, amber and red categories may vary with time of day, the day of the week and shall be revised periodically.
- ☞ This division shall be worked out by each of the urban local bodies through formal consultation of elected representatives, local Chambers of Commerce

/ Trade residents associations, vendors associations, Non Governmental Organizations (NGOs), and DWCUA groups etc.

☞☞ The identified areas in each ULB shall be required to display on the street, sign boards green colour for free access, red colour for no access and amber colour for restricted access to certain trades which carries some amount of user fee to be paid by vendors.

☞☞ Once the proposal is agreed, then it shall be put in place, absolute prohibition on municipal and police authorities from impounding or destruction or seizure of goods of vendors except where provisions of law (Narcotics Act, Excise law, Prevent of Food Adulteration Act etc).

☞☞ The vending in the designated areas is also subject to following:

- No vending shall be permitted on carriage way of roads and in the splay portion of junctions.
- Vending to be allowed at a safe distance from sensitive and objectionable areas like electric transformers, public toilets and garbage collection points, nalas, water bodies, places of religious worship, schools etc.

Registration of Street Vendors:

9. Any poor person who wishes to be a street vendor shall do so by a simple act of registration involving two steps:

1. Reliable identification by means of voters ID or ration card or letter from an elected representative or citizen of good standing or recommendation of DWCUA group.
2. Payment of a nominal fee to cover costs of issue of photo ID card and registration shall be done on the spot and across the counter.

10. The Sole purpose of registration is to provide reliable identification for only establishing the identify and it is not a permit to engage in any trade as no such permit is needed because right to livelihood is a fundamental right.

Constitution of Town Vending Committee

11. For the purpose of implementation of the policy including demarcation of vending areas a Town Vending Committee consisting of the representatives of the following may be considered:

- ☞☞ Elected Representatives.
- ☞☞ Representative of Commissioner / Superintendent
- ☞☞ Hawkers / Vendors Associations
- ☞☞ Resident Welfare Associations
- ☞☞ Sefl-Help Groups
- ☞☞ Representatives of Trade and Commerce
- ☞☞ NGOs
- ☞☞ Municipal Commissioner, Convener

Monitoring

12. The Town Vending Committee (TVC) shall be responsible for proper implementation and regular monitoring of the programme at required intervals. The Ward Committee (WC) may undertake this function at decentralized level. The TVC is responsible for:

- ❏ Monitoring street vending activity in the town.
- ❏ Monitoring quality of the urban basic services provided in the designated areas.
- ❏ Taking corrective action in case of violations.
- ❏ Report to the Council on the implementation along with the suggestions for improvement.

13. At the state level, the Commissioner and Director of Municipal Administration shall monitor the programme implementation and submit periodical reports to the Government.

14. The Commissioner of all Municipal Corporations and Municipalities shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.R. RAO
Principal Secretary to Government

To
The Commissioner, Municipal Corporations of Hyderabad, Vijayawada,
Visakhapatnam, Rajahmundry, Guntur, Warangal and Kurnool.
The Commissioner & Director of Municipal Administration, Hyderabad.
The Project Coordinator, Andhra Pradesh Urban Services for poor.
The Director of Town & Country Planning.
The E-in-Chief, Public Health, Hyderabad.

All the District Collectors.

All Regional Directors of Municipal Administration / Regional Deputy Director of Town and Country Planning / Superintendent Engineers (Public Health).

All Municipal Commissioners in the State.

Copy to:

The Private Secretary to Minister for Municipal Administration.

The Private Secretary to Principal Secretary, Municipal Administration and Urban Development Department.

The Private Secretary to Secretary, Municipal Administration and Urban Development Department.

Sf / Sc.

//Forwarded :: BY order //

Section Officer