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2018



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 7 } Vol. VII }	തിരുവനന്തപുരം, ബുധൻ Thiruvananthapuram, Wednesday	2018 മാർച്ച് 14 14th March 2018 1193 കുംഭം 30 30th Kumbham 1193 1939 ഫാൽഗുനം 23 23rd Phalguna 1939	നമ്പർ } No. } 643
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GOVERNMENT OF KERALA

Local Self Government (RD) Department

NOTIFICATION

G. O. (P) No. 15/2018/LSGD.

*Dated, Thiruvananthapuram, 12th March, 2018
28th Kumbham, 1193.*

S. R. O. No. 148/2018.—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 7 of 2014), the Government of Kerala hereby make the following rules, namely:—

PRINTED AND PUBLISHED BY THE SUPERINTENDENT OF GOVERNMENT PRESSES AT THE
GOVERNMENT CENTRAL PRESS, THIRUVANANTHAPURAM, 2018.

33/964/2018/S-15.

CHAPTER 1
PRELIMINARY

1. *Short title and commencement.*—These rules may be called the Kerala Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018.

(2) They shall come into force at once.

2. *Definitions.*—(1) 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 7 of 2014);

(b) “Form” means a form appended to these rules;

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

(d) “Grievance Redressal and Dispute Resolution Committee” means Committee constituted by the Government under sub-section (1) of section 20 of the Act;

(e) “Secretary” means the Secretary of the local authority;

(f) “Town Vending Committee” means the Town Vending Committee constituted by the Government under section 22 of the Act;

(g) “Ward” means a ward as defined in clause (49) of section 2 of the Kerala Municipality Act, 1994 (20 of 1994).

3. *Age of the street vendor.*—A person shall be eligible for street vendor license, if he has completed the age of fourteen years.

CHAPTER 2

TOWN VENDING COMMITTEE

4. *Constitution of Town Vending Committee.*—(1) A Town Vending Committee shall be constituted in each local authority by the Government.

(2) Each Town Vending Committee shall consist of the following members, namely:—

(a) the Secretary who shall be the *exofficio* chairperson of the Town Vending Committee;

(b) two members of the local authority;

(c) Health Officer of the local authority;

(d) District Collector or his representative;

(e) District Town Planner;

(f) Chief of Traffic Police of the city;

(g) nine representatives of Street Vendors;

(h) one Police official nominated by the Director General of Police;

(i) one representative from the Street Vendors Associations;

(j) one representative from the Market Associations;

(k) one representative from the Traders Associations;

(l) one representative from the Non-Governmental Organisations;

(m) two representative from the Community based Organisations;

(n) one representative from the Residents Welfare Associations;

(o) Municipal/Corporation Engineer of the local authority;

(p) one representative of the nationalized Lead Bank in the town/city;

Provided that one third of the members representing the street vendors shall be from amongst women vendors:

Provided further that due representation shall be given to the Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and persons with disabilities from amongst the members representing street vendors.

5. *Election of Street Vendors as the member of Town Vending Committee.*—(1) The local authority shall, by a notification published in the Official Gazette, express its intention to conduct election of the members of a Town Vending Committee representing the street vendors of the area under the jurisdiction of that local authority.

(2) The local authority concerned shall appoint a returning officer for conducting the election of members of the Town Vending Committee representing the street vendors of the area under its jurisdiction.

6. *Manner of election of the member of Town Vending Committee from amongst the street vendors.*—(1) The returning officer appointed under sub-rule (2) of rule 5 shall, conduct the elections of the members of the Town Vending Committee representing the street vendors.

(2) The local authority concerned shall supervise, direct and control the conduct of elections of the members of a Town Vending Committee representing the street vendors in the area of its jurisdiction.

(3) As soon as the notification expressing the intention of the local authority to conduct elections for members of a Town Vending Committee representing the street vendors has been issued under sub-rule (1) of rule 5 and a returning officer has been appointed for conducting the elections under sub-rule (2) thereof, the local authority, shall, by a resolution, determine the date, time and place for conduct of elections.

(4) (A) The notice of the resolution of the local authority 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 having wide circulation in the area;

(b) by local delivery;

(c) by post under certificate of posting; or

(d) by speed post or courier services, as well as on the notice board of the returning officer.

(B) The notice shall contain information regarding,—

(i) the number of members to be elected, including seats reserved for representatives of Scheduled Castes, Scheduled Tribes, Other Backward Classes, women, persons with disabilities, minorities or any other specified categories, if any;

(ii) the date on which, the place at which and the hours between which nomination papers shall be filed and such date being not less than seven clear days before the date fixed for election or if that day happens to be a 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 XXVI of 1881) or any day which has been notified by the Government to be a public holiday for offices under the Government;

(iii) the date and the hour for scrutiny of the nomination papers; and

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

(5) 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 or the local authority, as the case may be, to bring up-to-date register of street vendors and such other register as the

returning officer may require and hand over such records or registers to the returning 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 returning officer, as the case may be, to any street vendor on payment of such fee as specified by the local authority.

(6) The nominations of the candidates for election shall be made in Form-1 which shall be supplied by the returning officer to any street vendor, free of cost.

(7) A Street Vendor shall be disqualified from contesting the election to a Town Vending Committee, if he is:—

(i) convicted of an offence involving moral turpitude; or

(ii) more than two FIR have been filed against the street vendor, for an offence involving moral turpitude.

(8) The candidate shall make a security deposit of ₹ 1,000 (Rupees one thousand only) in cash or demand draft or pay order along with the nomination paper. If a candidate fails to get less than one-sixth of the votes polled, the security deposit shall be forfeited to the local authority.

(9) Every nomination paper shall be presented in person by the candidate himself or by his proposer or seconder to the returning officer. The returning 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/returning officer. Any nomination paper which is not received on or before the date and time fixed for its receipt shall be rejected.

(10) (a) On the day following the date fixed for the receipt of nomination papers, the returning officer shall take up the scrutiny of the nomination papers;

(b) The returning officer shall examine the nomination papers and decide on objections, if any, which may be made by any person in respect of any nomination and may, either on such objection, or on his own motion and after such summary inquiry, if any, as the returning officer thinks necessary, reject any such nomination:

Provided that the nomination of a candidate shall not be rejected merely on the ground of an 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 sub-rule (5), if the identity of the candidate, the proposer or seconder, as the case may be, is established beyond reasonable doubt.

(c) The returning officer shall give all reasonable facilities to the contesting candidates or the proposer or seconder, as the case may be, to examine all the nomination papers and to satisfy themselves that the inclusion of the name of the contesting candidate is valid.

(d) The returning officer shall endorse on each nomination paper his decision, accepting or rejecting the same, as the case may be. If the nomination paper is rejected, he shall record in writing, a brief statement of his reasons for such rejection.

(e) The returning 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.

(11) The list of valid nominations as decided by the returning officer with names of the candidates arranged in English alphabetical order with their addresses as given in the nomination papers shall be displayed or published on the same day on which the scrutiny of the nomination papers is completed.

(12) Any candidate may withdraw his candidature by notice in writing signed by him and submitted in person to the Returning Officer at any time after the presentation of his nomination paper, but before 5 p. m. on the day following the day on which the valid nominations are published. A notice of withdrawal of candidates once given shall be irrevocable.

(13) If the number of candidates, whose nomination papers have been declared valid, does not exceed the number of members to be elected, the returning 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 in sub-rule (12). If the number of candidates whose nominations are valid exceeds the number of members to be elected, the returning officer shall arrange for conducting a poll on the date fixed for the purpose. The returning officer may appoint one or more polling officers as may be necessary for conducting the poll. The ballot paper to be used in the poll shall be in Form-2.

(14) The local authority shall provide the returning officer with ballot boxes, ballot papers, copy of 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 therefrom without the boxes being unlocked. A candidate contesting the election may, by a letter to the returning officer, appoint an agent to represent him, to identify the voters during polling and to watch the recording of votes. Such letter shall be in Form-3 and shall contain the consent in writing of the agent concerned.

(15) Canvassing for votes by any person in or near the polling stations/polling booth shall be prohibited.

(16) Immediately before the commencement of the poll, the returning 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.

(17) Every street vendor/voter who desires to exercise his right to vote shall be supplied with a ballot paper in Form-2 containing the names of contesting candidates arranged in the English alphabetical order, which shall be either printed, type written or cyclostyled, according to convenience. The ballot paper shall also bear the seal of the Town Vending Committee and the initials of the returning officer. The ballot paper shall contain a column for the voter to inscribe a mark X against the names of persons to whom he wants to vote.

(18) 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.

(19) 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 of street vendors. 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 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 returning officer shall ascertain from him the candidate or candidates in whose favour he desired to vote and inscribe the mark X on his behalf on the ballot paper and put the ballot paper in the ballot box.

(20) If at any stage of the polling, the proceedings are interrupted or obstructed by any riot or affray or if it is not possible to take or continue the poll for any sufficient cause, the returning officer shall have the power to stop the polling, recording his reasons for such action in the minutes book of the Town Vending Committee.

(21) No street vendor/voter shall be admitted after the hours fixed for the poll. But, where a voter entered the premises of the polling station before the close of the polling hour, he shall be issued the ballot paper and allowed to vote.

(22) The counting of votes shall take place immediately after closing of the poll. If this is not possible, the ballot box shall be sealed with the seal of the returning officer and the contesting candidates or their agents, if they so desire, and shall be deposited with the local authority for safe custody of votes. The returning officer shall then announce the next day as the day of counting of votes. The votes shall be counted by or under the supervision of the returning officer. Each candidate and his authorized 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 shall not vitiate counting and announcement of results by the returning officer. The number of votes secured by each candidate and the result of the elections shall be announced by the returning officer as soon as the counting is over.

(23) The result of the elections shall also be recorded in the minutes book of the Town Vending Committee and attested by the returning officer and shall also be notified immediately on the notice board of the Town Vending Committee.

(24) In case of equality of votes, the returning officer shall declare the election result by draw of lots.

(25) The ballot paper shall be rejected as invalid, during counting, by the returning 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 returning officer;

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

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

(26) After the result of election has been announced, the result of the election and a report thereon shall be communicated, to the local authority as well as to the Government and to the SPEM which shall function as the Nodal Agency, by the returning officer within three days after the declaration of result.

Explanation:—For the purpose of these rules the term SPEM means the State Poverty Eradication Mission (Kudumbashree) constituted under the Local Self Government Department of the Government.

(27) After declaration of the result of election, the returning officer shall handover the ballot paper and records relating to the elections of the members of the Town Vending Committee representing street vendors to the local authority in a sealed cover. They shall be preserved safely by the local authority for a period of six months from the date of elections or till such time a dispute regarding elections, if any, filed is disposed of, whichever is later and shall thereafter be destroyed by the local authority. A copy of the handing over and taking over of ballot papers and records relating to elections shall be sent to the Government as well as the local authority and SPEM by the returning officer along with his report of elections.

(28) All the expenditure in this regard shall be met by the local authority.

7. *Term of Town Vending Committee.*—(1) After completion of the above election, the local authority shall notify the constitution of the Town Vending Committee along with the names of all the members, in a prominent place in its office.

(2) The term of a Town Vending Committee constituted under section 22 of the Act, unless dissolved under rule 9, shall be 5 years from the date of its constitution.

8. *Removal of a member of Town Vending Committee.*—If, in the opinion of the local authority, any member of a Town Vending Committee persistently makes defaults in the performance of his duties imposed on him by or under the Act and these rules or exceeds or abuses his powers, then the said authority may, by order, remove such member from the committee:

Provided that such member shall be given a reasonable opportunity of being heard before his removal.

9. *Dissolution of Town Vending Committee.*—If, in the opinion of the local authority a Town Vending Committee persistently makes defaults in the performance of duties imposed on it by or under the Act and these rules or exceeds or abuses its powers, then the said authority may, by order, dissolve such Town Vending Committee and shall constitute a fresh Town Vending Committee after giving a reasonable opportunity of being heard.

10. *Allowances of the members of Town Vending Committee.*—The allowances payable to the members of a Town Vending Committee, who do not hold any office of profit, shall be ₹ 100 (Rupees one hundred only) for attending a meeting of the Town Vending Committee. The said amount shall be paid from the general fund of the local body concerned.

11. *Meetings of Town Vending Committee.*—(1) The meetings of the Town Vending Committee shall be held at least once in three months and at such other shorter intervals as may be necessary to transact its business.

Provided that the first meeting of a Town Vending Committee shall be convened by the Chairperson within forty-five days from the date of its constitution.

(2) The transaction of business of the Town Vending Committee shall be conducted as per the rules applicable for the conduct of business of the Council of the local authority concerned.

(3) The meetings of the Town Vending Committee shall be held at the Headquarters of the local authority concerned or at such other places within the jurisdiction of the local authority, as may be decided by the Chairperson, from time to time.

12. *Procedure for transaction of business of Town Vending Committee.*—(1) The Town Vending Committee may follow such procedure for the transaction of its business as may be decided by the Chairperson in consultation with the members.

(2) Subject to the provisions of the Act and these rules, the resolutions of a Town Vending Committee shall be passed by a simple majority of the members present and voting in the meeting.

13. *Functions to be discharged by Town Vending Committee.*— Without prejudice to any other provisions of the Act, a Town Vending Committee shall perform the following functions, namely:—

(i) to conduct surveys within the area of its jurisdiction to identify street vendors in the area and arrange for their accommodation in accordance with the norms, plan and the holding capacity within the area of its jurisdiction;

(ii) to issue Certificate of Vending to an eligible street vendor after obtaining an undertaking from him to comply with the terms and conditions subject to which the Certificate of Vending is issued;

(iii) to cancel or suspend Certificate of Vending of street vendors who commit breach of any of the conditions thereof or any other terms and conditions specified for regulating street vending under the Act or these rules or the Scheme made under the Act or where the Town Vending Committee is satisfied that such Certificate of Vending has been secured by the street vendor through misrepresentation or fraud;

(iv) to recommend the local authority to declare an area in its jurisdiction to be a non-vending area;

(v) to identify sites and spaces for vending and hawking;

(vi) to regulate timings for vending to ensure non-congestion of public spaces;

(vii) to ensure enforcement of corrective mechanism against defiance by street vendors;

(viii) to furnish recommendations to the local authority in relation to the preparation of plans to promote the vocation of street vendors;

(ix) to hold its meetings and take appropriate decisions to ensure efficient discharge of its functions;

(x) to associate technical and professional persons with itself on temporary basis for obtaining assistance or advice in carrying out any of the provisions of the Act;

(xi) to publish the street vendor's charter specifying therein the time within which the Certificate of Vending shall be issued to the street vendors and time within which such Certificate of Vending shall be renewed and other activities to be performed within the time limit specified therein;

(xii) to maintain up to date records of registered street vendors and the street vendors to whom Certificates of Vending have been issued in Form-4;

(xiii) to carry out social audit of its activities under the Act or these rules or the scheme made thereunder;

(xiv) to furnish from time to time to the Government and the local authority, such returns, as may be specified under the Act and these rules;

(xv) to recommend the Government for undertaking promotional measures to make available credit, insurance and other welfare schemes of social security for the street vendors;

(xvi) to assist the Government to raise awareness among the public about the role of the street vendors in the economy; and

(xvii) to perform such other functions for effective implementation of the Act and these rules, as may be delegated to the Town Vending Committee by the local authority, SPEM, and the Government.

14. *Powers of Town Vending Committee for temporary association of expert person.*—(1) Subject to the provisions of the Act, a Town Vending Committee may associate any suitable person of repute having adequate knowledge and experience in the field, as expert to obtain technical or professional advice on matters relating to the street vendors.

(2) The person to be associated as expert under sub-rule (1) shall be selected in a fair and transparent manner and by following the procedure for engagement of consultants and experts as technical, academic or professional experts in Government Departments.

(3) The persons associated as expert under sub-rule (1) shall be paid allowances as determined by the local authority.

15. *Employees of Town Vending Committee.*—(1) The local authority concerned when so requested by a Town Vending Committee, make available to that Committee such employees as the local authority considers necessary for discharge of the functions conferred or imposed on the Town Vending Committee under the Act or these rules.

(2) The number of employees deputed for the office of the Town Vending Committee shall be a minimum of one in number not below the rank of Lower Division Clerk and shall be increased as per the requirement of the workload faced by the Town Vending Committee as in the opinion of the Chairperson.

16. *Manner of maintenance of records of street vendors by Town Vending Committee.*—Every Town Vending Committee shall maintain up to date records as specified in the Scheme framed under sub-section (1) of section 38 of the Act, in an electronic form or manually or in both forms as may be decided by the local authority.

17. *Office space for functioning of the Town Vending Committee.*—The local authority concerned shall provide sufficient office space for the functioning of the Town Vending Committee and shall also depute its employees to carry out the ministerial and clerical functions of the Town Vending Committee.

18. *Filing of Returns.*—Every Town Vending Committee shall periodically submit a return to the local authority concerned within three months after the completion of every financial year.

19. *Appeal against the decision of Town Vending Committee.*—(1) An appeal under section 11 of the Act against any decision of a Town Vending Committee with respect to issue of Certificate of Vending or cancellation or suspension of Certificate of Vending shall be preferred before the local authority concerned within thirty days from the date of receipt of the order or decision appealed against:

Provided that the local authority may condone the delay if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the prescribed time.

(2) The appeal shall be in Form-5 and shall be signed by the appellant and presented by him in person or through his authorised representative. The memorandum of appeal shall be accompanied by the original or certified copy of the order or decision against which the appeal is preferred.

(3) The appeal shall be submitted in triplicate.

(4) No appeal shall be entertained unless a copy thereof has been served by the appellant to the Town Vending Committee which had made the order appealed against, prior to filing of such appeal and proof of such service shall be filed along with the appeal.

CHAPTER 3

DISPUTE REDRESSAL MECHANISM

20. *Constitution of Grievance Redressal and Dispute Resolution Committee.*—(1) The Government shall constitute a Grievance Redressal and Dispute Resolution Committee for redressal of grievances or resolution of the dispute of the street vendors.

(2) The Committee shall consist of a Chairperson and two other members: The Chairperson shall be a person who has been a Civil Judge or a Judicial Magistrate. The other members include a retired Secretary of a Municipal Corporation or retired Additional Secretary of a Municipal Corporation and a prominent Social worker, preferably, having experience in the field of informal economy including street vending.

(3) The tenure of the Committee will be for a period of three years or till such time as the Government may appoint a new Committee.

(4) The Government may remove the Chairperson and Members of the Committee from the office, if he,—

(a) has been adjudged an insolvent;

(b) has been convicted of an offence which, in the opinion of the Government, involves moral turpitude;

(c) has become physically or mentally incapable of functioning as Chairperson or member, as the case may be;

(d) has acquired financial or other interests, which are likely to affect prejudicially his functions as the Chairperson or as a member, as the case may be; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that the Chairperson or member of the said Committee shall not be removed from his office on the grounds specified in clause (d) except on an inquiry held by the Government in accordance with such procedure as it may specify in this behalf.

(5) The terms and conditions of the service of the Chairperson and members of the Committee shall not be varied to their disadvantage during their tenure of office.

(6) The place of sitting of the Committee shall be at Thiruvananthapuram.

21. *The form and the manner of making application to Grievance Redressal and Dispute Resolution Committee.*—(1) Every street vendor who has grievance or dispute in respect of anything done or any action taken under the Act or these rules except specified in section 11, may file an application in writing in Form-6, either himself or through his affiliated Union, specifying his name, place of residence and details of grievance.

(2) Application shall have to be filed by a street vendor within thirty days from the date of occurrence of any incident causing the grievance or dispute.

22. *The manner of verification and enquiry on receipt of grievance or dispute, the time within which and the manner in which steps for redressal of grievance and resolution of dispute may be taken.*—(1) The street vendor may pray for interim relief during the pendency of the application. On receipt of an application, the Committee shall hold a preliminary hearing with the applicant to determine whether there is a prima facie case.

(2) The result of the preliminary hearing shall be pronounced at the conclusion of the hearing and recorded in writing. The Committee may grant or refuse the interim relief, if any, prayed for by the street vendor, with reason recorded in writing.

(3) The aforesaid order shall be communicated to the street vendor and where it is held that there is a prima facie case, a notice shall also be issued to the appropriate authority containing the details of the grievance.

(4) The appropriate authority shall file a written reply within four weeks from the date of receipt of the notice. A copy of the reply shall also be furnished to the street vendor, free of cost.

(5) The street vendor may file a reply to the aforesaid written reply within a period of two weeks from the date of receipt of the written reply.

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

23. Appeal against the order or decision of the Grievance Redressal and Dispute Resolution Committee.—(1) An appeal against an order or decision of the Committee may be preferred by an aggrieved person to the local authority concerned, within thirty days from the date of receipt of such order or decision appealed against:

Provided that the local authority may condone the delay if it is satisfied that the applicant was prevented by sufficient cause from preferring the appeal within the specified time.

(2) The appeal shall be in Form-7 contain the name, age and address of the aggrieved person, details of the order issued by the Committee and grounds for appeal. The appeal shall be accompanied with copy of the order and a copy of certificate of vending.

24. Procedure for disposal of appeals, by the local authority.—(1) On receipt of the appeal, the local authority shall issue a notice to the parties concerned intimating the date and time of hearing.

(2) The parties shall appear before the local authority on the date appointed for hearing, which shall not be later than thirty days from the date of filing of appeal.

(3) The local authority shall pronounce its order after giving the parties an opportunity of being heard within thirty days.

25. Honorarium and other allowances and terms and conditions of the Chairperson and members of the Grievance Redressal and Dispute Resolution Committee.—(1) The Chairperson of the Committee shall be paid an honorarium of ₹ 2,000 (Rupees two thousand only) per day of sitting in the above said Committee.

(2) Member of the Committee shall be paid an honorarium of ₹ 1,500 (Rupees one thousand five hundred only) per day of sitting in the above said Committee.

26. Secretariat assistance to the Grievance Redressal and Dispute Resolution Committee.—The Office of State Poverty Eradication Mission (SPEM) shall act as the secretarial office of the Committee. The Executive Director, Kudumbashree shall facilitate the office space for holding sitting and shall assist the Committee for holding sitting of the Committee and provide adequate staff for the effective functioning of the Committee. The expenditure including the honorarium and such other establishment expenditure shall be borne by the SPEM.

27. The manner of publishing summary of scheme.—The summary of the scheme notified by the Government under section 38 of the Act shall be published by the local authority in two local newspapers and shall also be uploaded on the website of the Town Vending Committee. Such publication of the scheme by the local authority shall be made within 60 days from the date of notification of the Scheme by the Government.

28. Interpretation and removal of difficulty.—If any difficulties arises in implementing the provisions of these rules or for interpretation of any rule, the matter shall be referred to the State Government and the decision of the Government thereon shall be final.

ANNEXURE

FORM-1

[See rule 6(6)]

[Kerala Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018]

NOMINATION FORM FOR ELECTION OF MEMBERS OF TOWN VENDING COMMITTEE

To

The Returning Officer,
Town Vending Committee

.....

Sir,

I,, wife/son/daughter of, 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./Ms wife/son/daughter of 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 Registration/Certificate of Vending No. of Town Vending Committee, hereby second the above proposal.

Name and Signature of the second proposer.....

Registration/Certificate of Vending No.

DECLARATION BY THE CANDIDATE

I,, wife/son/daughter of Registration/Certificate of Vending No. of.....Town vending committee, hereby agree to my nomination for the election as Member of theTown vending committee.

I further declare that,—

(i) I am not an employee of the said Town Vending Committee.

(ii) I am eligible to vote in the above election.

(iii) I do not incur any disqualification for election as Member of the said Town Vending Committee under the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014) and the Kerala Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018. made thereunder.

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 Returning Officer.....

ACKNOWLEDGEMENT

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

Signature of the Returning Officer

(Seal)

FORM 2

[See rule 6(13) and (17)]

[Kerala Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018]

BALLOT PAPER FOR ELECTION OF MEMBER OF A TOWN VENDING COMMITTEE

Ballot paper of elections of Members of a Town Vending Committee representing street vendors, which is to be conducted under rules 4, 5 and 6 of the Kerala Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018

TheStreet Vending Committee

.....

.....(Address)

(Counterfoil) Ballot paper for the Post of.....

Date of Election.....

Sl. No.Registration/Certificate of

Vending No.Ballot Paper.

Please mark X against one of the candidates to whom the votes are to be casted.

Sl. No.

Name of the Candidate

Registration/Certificate of Vending No.

Mark for casting vote

FORM 3

[See rule 6(14)]

[Kerala Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018]

LETTER OF NOMINATION OF AGENT

I,, son/wife/daughter of, 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.....
.....address.....
am willing to be the election agent.

Name and Signature of the agent.

FORM 4

[See rule 13(xii)]

[Kerala Street Vendors (Protection of Livelihood and Regulation of
Street Vending) Rules, 2018]

RECORD OF REGISTERED STREET VENDORS

- (i) Name of the Street Vendor :
- (ii) Address of the Street Vendor :
- (iii) Registration No. :
- (iv) Sl. No. of Certificate of Vending :
- (v) Sl. No. of Identity card :
- (vi) Vending place and time :
- (vii) Nature of Business :
- (viii) Category of street vending :
- (ix) Any other particulars :

Name and Signature of the authorized person.

FORM 5

[See rule 19(2)]

[Kerala Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018]

APPEAL TO THE LOCAL AUTHORITY AGAINST THE DECISION OF THE TOWN VENDING COMMITTEE

To

.....
.....

1. Name and address of the appellant :

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) stationery (a)

(b) mobile (b)

(c) any other category (if other, please specify the category) (c)

5. No. and date of issue of Certificate of Vending (attach a copy of Certificate of Vending, if issued) :

6. Nature of the order appealed against (Tick the appropriate)

(a) issuance of Certificate of Vending; (a)

(b) cancellation of Certificate of Vending; (b)

(c) suspension of Certificate of Vending; (c)

(d) others (Specify) (d)

7. Grounds of appeal (give full details and attach more pages, if required)

Signature of the 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 the Appellant.

(Note:—Please attach all the relevant documents along with the appeal.)

FORM 6

[See rule 21 (1)]

[Kerala Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018]

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

To

.....
.....

- 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) Stationery (a)
 - (b) mobile (b)
 - (c) any other category (if other, please specify the category) (c)
- 5. No. and date of issue of Certificate of Vending (attach a copy of Certificate of Vending, if issued) :
- 6. Nature and details of grievance or dispute (give full details and attach more pages, if required) :

Signature of the Applicant.

DECLARATION

I,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 the Applicant.

(Note:—Please attach all the relevant documents to the application.)

FORM 7

[See rule 23 (2)]

[Kerala Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018]

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

To

.....
.....

1. Name and address of the appellant :
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) stationery	(a)	
(b) mobile	(b)	
(c) any other category (if other, please specify the category)	(c)	
5. No. and date of issue of Certificate
of Vending (attach a copy of the
Certificate of Vending, if issued) :
6. Decision of the Grievance Redressal
and Dispute Resolution Committee
(attach the copy of the decision of
the Grievance Redressal and Dispute
Resolution Committee) :

- 7. The number and date of decision :
- 8. Grounds of appeal (give full details and attach more pages, if required) :

Signature of the 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 the Appellant.

(Note:—Please attach all the relevant documents along with the appeal.)

By order of the Governor,

T. K. JOSE,

Additional Chief Secretary to Government.

Explanatory Note

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

Section 36 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014) empowers the State Government to make rules for carrying out the provisions of the Act. Hence the Government have decided to make rules for the above purpose.

This notification is intended to achieve the above object.