

**ENFORCEMENT DEPARTMENT
PRAGATI BHAWAN, JAI SINGH ROAD
NEW DELHI - 110001**

Sub:- Minutes of meeting of Town Vending Committee held on 20.07.2021 at 11.30 AM in 1st Floor, Convention Centre, NDCC, Phase-ii, Jai Singh Road, New Delhi

A meeting of first Town Vending Committee (TVC) convened on 20.07.2021 at 11.30 AM at 1st Floor, Convention Centre, NDCC, Phase-II, Jai Singh Road, New Delhi and the meeting was attended by the following members of TVC :-

- i. Shri Dharmendra, Chairman, NDMC/TVC in Chair.
- ii. Shri B.M. Mishra, Secretary, NDMC
- iii. Dr. Ramesh Kumar, Medical Officer of Health, NDMC
- iv. Smt. Poonam Nidhi, Architect, NDMC
- v. Shri Prashant Shukla, Director (Enf.) North, NDMC
- vi. Shri R.P. Gupta, Director (Enf.) South, NDMC
- vii. Smt. Asha Verma, Dy. Director(Enf.), NDMC
- viii. Shri B.L. Meena, Executive Engineer (Civil-I), NDMC
- ix. Shri Dinesh Kumar, ACP, Delhi Police, Parliament Street, New Delhi
- x. Shri Nirmal Gorana, Human Rights Law Network(HRLN), Masjid Road, New Delh
- xi. Smt. Ruby Kumari Mishra, Elected Street Vendor
- xii. Smt. Anita, Elected Street Vendor
- xiii. Smt. Mathura Bai, Elected Street Vendor
- xiv. Shri Dinesh Kumar Dixit, Elected Street Vendor
- xv. Mohd. Hayat, Elected Street Vendor
- xvi. Shri Jugesh Kumar, Elected Street Vendor
- xvii. Smt. Meena Devi, Elected Street Vendor
- xviii. Shri Raj Kumar, Elected Street Vendor
- xix. Smt. Kavita Kate, Elected Street Vendor.

2. Secretary, NDMC welcomed all TVC members present in the meeting and requested the Hon'ble Chairman for opening remarks. The Chairman briefed the committee about the agenda of convening this meeting and asked the Secretary to start further proceeding. Secretary started the proceeding and put the agenda item before TVC members that the petitioners namely Sh. Prabhu Shah, Sh. Sneh Kapoor and Sh. Naresh Kumar were praying to the Hon'ble High Court of Delhi in Writ Petition No.10679/2020 and CM APPL33522/2020 titled as Prabhu Shah Vs New Delhi Municipal Council to pass direction for not disturbing them from vending in B-Block, Connaught Place, New Delhi till Certificate of Vending is issued and Hon'ble Delhi High Court vide its verdict dated 02.03.2021 :-

"The petitioner has preferred this petition to seek a direction to the respondent not to disturb him and to allow him to continue to squat at the present site, till a certificate of vending is issued by the TVC on the basis of the survey being undertaken by the TVC.

Respondent have filed their counter affidavit wherein it is clearly stated that the TVC for the zone in question has been constituted and is operational.

In response, Mr.Sahoo submits that the TVC claimed to have been constituted, is not functional. In the light of the stand taken in the counter affidavit, we cannot accept this submission. We, therefore, dispose of this petition with a direction to the TVC to consider the case of the petitioner and other similarly placed person without any delay. We may however, emphasize that the TVC has to function in terms of its mandate under the Street Vendor (Protection of livelihood and Regulation of Street Vending) Act, 2014 and it cannot take the responsibility cast upon it under the said Act lightly. We hope and express that the case of the petitioner would be address by the TVC within four months."

3. This TVC meeting is convened in compliance of the above order of Hon'ble High Court. It was clarified that this Town Vending Committee is First Town Vending Committee constituted by GNCTD on 17.09.2019 only for the purpose of carrying out survey of Street Vendors in accordance with Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019. The power of present TVC under Rule 13(1) of Street Vendor (Protection of Livelihood and Regulation of Street Vending) Rules, 2017 is that "*this is an initial Town Vending Committee for the purpose of survey and the issue of COV and it shall ensure that once the survey is complete, the elections are conducted within six months* "

4. It was further clarified that Connaught Place area is non-vending area under the Urban Street Vendor Scheme 2007 approved by Hon'ble Supreme Court of India vide order its judgment dated 17.05.2007 in the matter of Sudir Madan vs MCD & ors in WPC No.1699/1987. It was also informed that vending or non-vending zone will be decided by Competent/Permanent TVC as per the Street Vendor (Protection of Livelihood and Regulation of Street Vending) Scheme 2019 as and when it is duly constituted and till the vending or non-vending zone is decided, the vending and non-vending zone already declared under the previous scheme shall remain in force.

5. It is evident from the above rule position that the above agenda does not fall under domain of present TVC and will be placed the agenda item before Competent/Permanent TVC as and when it is duly constituted once survey process is completed by the present TVC.

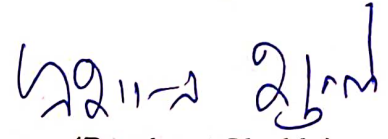
6. After the above detailed and deliberated discussion, all the TVC members present in the meeting agreed that the agenda to decide the matter of Prabhu Shah vs NDMC for grant of vending permission will be placed before Competent/Permanent TVC as soon as it is duly constituted once survey process is completed by the present TVC in accordance with the Street Vendor (Protection of Livelihood and Regulation of Street Vending) Scheme 2019.

7. During the meeting, Mohd Hayat, elected TVC Member submitted that the Advocate/Counsel of NDMC may be directed to explain actual position, powers and works of present TVC to the Hon'ble Courts under the provisions of Street Vendor (Protection of Livelihood and Regulation of Street Vending) Rules, 2017 so as to avoid such type of orders in future.

8. The TVC took cognizance of the submission made by Mohd Hayat.

9. Smt. Kavita Kate, TVC Elected Member also submitted that in the last meeting it was discussed that survey will be conducted with help of the hired two agencies but the same is still pending. In this regard, Secretary, NDMC clarified the current status of TVC by stating that in the last meeting, it was decided by majority of the members that a letter may be sent to MHA for clarification whether decision taken by GNCTD for cancellation of survey carried out in the year 2018 may be taken as valid or otherwise for which a letter was sent to MHA and GNCTD for such clarification. Response of GNCTD received on 30.4.2021. A meeting has also taken place in the Ministry of Home Affairs on the subject. We are awaiting a quick response.

10. The meeting ended with vote of thanks.


(Prashant Shukla)
Director (Enf.)-North

Copy to:-

1. Chairperson, NDMC
2. Secretary, NDMC
3. Financial Advisor, NDMC
4. Chief Engineer (Civil-I), NDMC
5. Medical Officer of Health, NDMC
6. Chief Architect, NDMC
7. Director (Enf.) North & South
8. ACP (traffic), Chanakyapuri, New Delhi
9. ACP (Delhi Police), Parliament Police Station, New Delhi
10. ADM, New Delhi District, New Delhi
11. Sh. Sunil, Udyan Marg Market Association, New Delhi
12. Sh. Jitender Ring Road Market Welfare Association, New Delhi
13. Human Rights Law Network (HRLN), Masjid Road, New Delhi
14. IGSSSS Indo Global Social Service Society, Plot NO.28, Lodhi Institutional Area, Behind Sai Baba Mandir, New Delhi
15. National Hawker Federation(NHF)
16. YUVA Seva Sangharsh
17. Residential Welfare Committee for Local area Development, K-87, B.K. Dutt Colony, Jor Bagh, New Delhi
18. Mr. Makan Singh Panwar, Block No.-87-92, Sector-4, DIZ area Gole Market, New Delhi-110001
19. Smt. Ruby Kumari Mishra, Elected Street Vendor
20. Smt. Anita, Elected Street Vendor
21. Smt. Mathura Bai, Elected Street Vendor
22. Sh. Dinesh Kumar Dixit, Elected Street Vendor
23. Sh. Khem Pal, Elected Street Vendor
24. Mohd Hayat, Elected Street Vendor
25. Sh. Jugesh Kumar, Elected Street Vendor
26. Smt. Meena Devi, Elected Street Vendor
27. Sh. Raj Kumar, Elected Street Vendor
28. Smt. Kavita Kate, Elected Street Vendor
29. JD(IT) for uploading on NDMC website.