

In the Court of Commissioner for Persons with Disabilities
25-D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
Phone-23216002-4; Telefax: 23216005
[Vested with power of Civil Court under the Persons with Disability (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995]

Case No. 4/974/2015-Wel./CD/ **938-39**

Dated: **21.7.15**

In the matter of :

Mohd. Sabir Siddiqui
S/o Mohd. Rashid
C-4/7/40, LNJP Colony
Nehru Marg, New Delhi

..... Petitioner

Versus

Sh.A.Nedunchzhayan
Dy. Commissioner
Municipal Corporation of Delhi (City Zone)
MLUG Car Parking, Asaf Ali Road, Delhi-110002

..... Respondent

ORDER

1. Mohd. Sabir Siddique filed a representation that he had applied for allotment of squatting site 5-6 years back but till date no action has been taken by the concerned authorities.
2. A hearing was fixed and during the course of hearing the Assistant Commissioner of City Zone North Delhi Municipal Corporation informed that **Quote** "Mohd. Sabir Siddique in his representation has mentioned that he has applied many time to allot him a tehbazari but his request has not been considered till date then he approached the Commissioner of Disabilities for the same. The matter was heard on 18.5.15. The Commissioner North Delhi Municipal Corporation was instructed to send the case alongwith all details and brief of case to Town Vending Committee. Accordingly this case is forwarded with following details for taking appropriate action as per law in vogue. In this connection it is stated that he has applied under MCD Scheme for squatters/hawkers, 2007 and deposited Rs.100/- vide G-8 No.6266032 dated 10.9.2007. His name stands at S.No.32. Since City Zone is highly congested, commercialized and heritage sensitive and it had received 11987 applications for grant of tehbazari sites under MCD Scheme for squatters/hawkers 2007. Further it is also stated that Zonal Vending Committee City Zone in July 2009 decided that there is no space to grant new tehbazari sites. The Street Vendors

(Protection of livelihood and regulation of Street Vending) Act 2014 is enforced. As per directions of Hon'ble Supreme Court of India vide orders dated 9.9.13 vide which it has been directed to all the existing street vendors/hawkers operating across the country shall be allowed to operate till the exercise of registration and creation of vending/hawking zone is completed in terms of the 2009 policy. The entire process is still going on. The allotment of tehbazari will also be dealt by the Town Vending committee. However Presiding Officer/Zonal Vending Committee had recommended on 17.1.2011 that applicant is 100% handicapped and so far as concern of his entitlement his candidature for allotment of vending site should be preferential and comes under Sub Clause 4 of class 9 under MCD Scheme for squatters/hawkers 2007 and his claim should be considered within reasonable time" **Unquote.**

3. In view of the reply of the representative of the Commissioner North Delhi Municipal Corporation the case of the petitioner would be processed after the rules framed by the Town Vending Committee are approved by the Government and as per the directions of Hon'ble Supreme Court of India.
4. The case is disposed of accordingly.



Given under my hand and the seal of the Court this 21st day of July, 2015.

For - 234 21/7/15
(K.S. Mehra)
Commissioner
Court of Commissioner (Disabilities)
National Capital Territory of Delhi
Room No. - 1
25-D, Mata Sundari road, New Delhi-02