

In the Court of Commissioner for Persons with Disabilities
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
Phone-23216002-04, Telefax: 23216005
[Vested with power of Civil Court under the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995]

Case No. 4/846/2014-Wel./CD | 2836-37

Dated: 11.03.2015

In the matter of :

Sh.Ajay Singh

S/o Late Ram Shakal Singh

Village Jagatpur (Pakri)

PO/PS Krishangarh Deoria Prakhand Badhara

District Bhojpur (Ara), Bihar-802313

..... Petitioner

Versus

Sh.Neeraj Kumar

Assistant Commissioner (Central Zone)

South Delhi Municipal Corporation

Room No.203, Zonal Office Building

Shiv Mandir Marg, Lajpat Nagar-II

New Delhi-110024

.....Respondent

ORDER

1. A representation was received from Sh.Ajay Singh a person with 70% locomotor disability through the office of the Chief Commissioner for Persons with Disabilities regarding allotment of a Kiosk by South Delhi Municipal Corporation (Central Zone – Lajpat Nagar).
2. During the course of hearing it was informed by the representative of the Central Zone of the South Delhi Municipal Corporation that the petitioner has not applied for allotment of a Kiosk (Khokha) under the National Vending Policy 2007 and also that he is not a tehbazari holder of Municipal Corporation of Delhi and therefore the case of the petitioner cannot be considered for allotment of PCO booth. It was further submitted by the representative of the Commissioner South Delhi Municipal Corporation that **Quote** “in a court case filed before the Hon’ble High Court of Delhi titled as Navab Ali & Anrs. V/s State (NCT of Delhi) & Ors. in WP (C) No. 7655/2013 the Hon’ble High Court has ordered on 20.8.2014 that admittedly, the street vendors (Protection of Livelihood and

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Regulation of Street Vending) Act, 2014 (hereinafter referred to as Act 2014) has come in to force. The Act 2014 provides for constitution of a Town Vending Committee which is to conduct survey of existing street vendors and make the scheme for relocation. Section 3(3) of the Act, 2014 clearly states that no street vendor shall be evicted or relocated till the survey to be carried out by the Committee has been completed and certificate for vending has been issued to all street vendors. Consequently State Government is directed to make the Committee functional within a period of four weeks. The petitioners are also permitted to simultaneously file their representation with the Committee within a period of four weeks. Upon the said representation being filed the Committee is directed to decide the same within a period of twelve weeks. With the above said directions the present writ petition is disposed of. Order Dasti under the signature of Court Master.” **Unquote.**

3. In view of the submissions made by the representative of the Commissioner South Delhi Municipal Corporation the petitioner is directed to apply to the Town Vending Committee to enable the Committee to consider his case as per the extant rules, regulations etc.
4. Ordered accordingly.



Given under my hand and the seal of the Court this 11th day of March 2015.

(K.S. Mehra)
Commissioner

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