

**ENFORCEMENT DEPARTMENT
NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA: NEW DELHI**

No. D-784/S.O/EM/61

Dated: 14.06.2016

Notice

1. This is with reference to the Hon'ble Delhi High Court judgment dated 18.05.2016 in LPA No. 136/2016 titled as "Bhola Ram Patel Vs. New Delhi Municipal Council" and other connected LPAs. Para 26 (5) of the above judgment of the High Court directed as under:-

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"The authorities are at liberty to ensure that the walk way in all the NDMC areas shall be in conformity with the paragraph 2.1.22, i.e. two meter width on the footpath would be left. At the same, while removing or evicting any existing street vendor, the NDMC shall also ensure that the principle of seniority – referred to earlier in terms of rights of existing holders is maintained. If no document or evidence of long use exists, it is open to the NDMC to remove those obstructing such footpath or way."

2. Accordingly, it is hereby directed that all street vendors while carrying out their business of vending shall not block the footpath or carry out vending on roads. Walkways of 2 meter width on footpath or walkway should be maintained in front of vending counters/stalls for pedestrian movement.

3. The squatters who are squatting on walkways, pavements and footpaths measuring less than 12 ft 7 inches in width are in violation of the Hon'ble High Court order dated 18.5.2016 are hereby advised not to squat/vend on such walkways, pavements and footpaths failing which, the department shall evict them and seize the goods.

4. Insofar as the walkways, pavements or footpaths where certain stretches are less than 12 feet 7 inches and where certain stretches width is measuring 12 ft 7 inches or more, then the vendors who are squatting/vending in the said areas may submit the documentary evidence regarding their seniority in the following format:-

Sr. No.	Nature of Documents including issuing authority along with details.	Date of Documents

The details may be submitted within next three days from the date of issue of this notice. Thereafter, the department shall compile the list and place on the NDMC's Website to facilitate the effected party to see the list/ seniority as per the principle laid down by the Hon'ble High Court in its order dated 18.05.2016 i.e. "**last come first go**".

5. However, the above mentioned principle is only applicable in cases where the walkway or footpath can accommodate a certain number of street vendors but there are excess number of street vendors operating from this area. In areas where the walkway, footpath or pavement is less than 12 ft 7 inches in width then no street vendor may be permitted to operate from that area. This is without prejudice to right and contentions of NDMC as well as of squatters and subject to the final decision of the Town Vending Committee.



(N.L. Chawla)
Jt. Director (Enforcement)

Copy to:-

1. Area Inspectors for information and due acknowledgement by the squatters and hawkers in their area.
2. Jt. Director (IT) with a request to upload in the NDMC's Website.
3. Director(PR) – for releasing the Notice in local newspapers(Hindi & English)
4. S.H.O., P.S. Mandir Marg/Connaught Place/Parliament Street/Sarojini Nagar – with a request to provide adequate force alongwith female constables as and when drive is conducted on various dates that will be intimated in due course.