



\$~18 & 19

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1351/2025

SHAMSHUDDIN

.....Petitioner

Through: Mr.Bibhuti Bhushan Mishra,  
Ms.Shivalika, Mr.Dhruv Chauhan,  
Mr.Anubhav Gupta and Ms.Niharika  
Punn, Advocates.

versus

TOWN VENDING COMMITTEE & ANR.

.....Respondents

Through: Mr.Akshat Kulshreshtha and  
Mr.D.S.Bhanu, Advocates

+ W.P.(C) 1355/2025

MOHAN KUMAR

.....Petitioner

Through: Mr.Bibhuti Bhushan Mishra,  
Ms.Shivalika, Mr.Dhruv Chauhan,  
Mr.Anubhav Gupta and Ms.Niharika  
Punn, Advocates.

versus

TOWN VENDING COMMITTEE & ANR.

.....Respondents

Through: Mr.Akshat Kulshreshtha and  
Mr.D.S.Bhanu, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA**

**ORDER**

%

**13.02.2025**

1. The petitioners have filed the present petitions, *inter alia*, praying that directions be issued to the respondents to provide copies of the respective survey application forms as against their respective acknowledgement receipts of registration.



2. The learned counsel appearing for the respondents submits that the survey application form will be put online first and thereafter would be reviewed, that is on commencement of the review period. He also refers to the Clause 1.1.15 of the Government of National Capital Territory of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019 (hereafter **the Scheme**), which reads as under:

*“(1.1.15) Data collection from the field shall be completed no later than 180 days of declaration of survey by the TVC. Completed records shall be made available online against the URI within 7 days of data collection. A review period of 21 days from the date of the end of field surveys shall be available to all surveyed persons to submit complete records for scrutiny before the TVC, or to correct any errors in the manner prescribed on the Acknowledgement Receipt.”*

3. In terms of the said clause, the completed records are required to be made available online within seven days of the data collection. According to the respondents, the said period would commence from the end of the period of data collection. This is disputed by the learned counsel appearing for the petitioners. He submits that if Clause 1.1.15 of the Scheme is read in the manner as contended on behalf of the respondents, the same would conflict with Clause 1.2.1 of the Scheme. The Clause 1.2.1 of the Scheme reads as under:

*“(1.2.1) The Certificate of Vending (COV) will be issued within 30 days of the end of the review period, that is, no later than 5 months from the initial declaration of survey by TVC.”*

4. Before we proceed further, it would also be relevant to refer to Clause 1.1.16 of the Scheme, which is set out below:



*“(1.1.16) At the end of the review period, the TVC in consultation with the Local Body will analyze completed applications and compile a list of surveyed persons who will receive a Certificate of Vending, based on terms outlined in Chapter 2 and 8, no later than 30 days from the end of the review period. The list of recipients of a Certificate of Vending shall be published in compliance with Chapter 3 of this Scheme. The terms and conditions subject to which the COV may be issued or denied are laid out in Chapter 2 of this scheme.”*

5. As pointed out by the learned counsel for the petitioners, there appears to be an apparent conflict between the provisions of Clauses 1.1.15 and 1.1.16 of the Scheme on the one part and Clause 1.2.1 of the Scheme on the other. In terms of the Clause 1.1.15 of the Scheme, the review period of twenty-one days would commence from the end of “field surveys”. During the review period, opportunity would be available to all surveyed persons to submit complete record for scrutiny before TVC or to correct errors in the manner as prescribed on the acknowledgement receipts. After the end of the review period, TVC in consultation with the local body will analyse complete application and compile a list of surveyed persons who would receive their Certificates of Vending (CoVs).

6. On a plain reading of the Clauses 1.1.15 and 1.1.16 of the Scheme, it appears that the CoV would be made available only after the period of data collection (not more than 180 days from the declaration of survey) and the review period of 21 days has expired. The COVs are to be issued within a period of thirty days from the end of the review period. However, Clause 1.2.1 of the Scheme contemplates that the COVs would be issued no later than 5 months from the initial declaration of survey by the TVC. The same is clearly not in conformity with the timelines as stipulated in Clauses 1.1.15



and 1.1.16 of the Scheme. It is material to note that, Clause 1.2.1 of the Scheme also provides that COVs would be issued within 30 days from the end of the review period, which is in conformity with the stipulation under Clause 1.1.16 of the Scheme.

7. Whilst there is an apparent conflict between the provisions of Scheme as noted above, the same are of little assistance to the petitioners in this case. In either event, the survey application forms are not required to be made available online till the data is collected. According to the learned counsel for the petitioners the expression “*data collection from the field*” should be read as data collection of an individual street vendor who has been surveyed. In other words, he contends that on a street vendor being surveyed, his form should be made available online within a period of seven days notwithstanding that the exercise of data collection has not been completed. The learned counsel for the respondent submits that this could make the task onerous. Uploading individual forms during the course of the survey apart from consuming further time could also delay the process.

8. We are inclined to agree that the interpretation of paragraph 1.1.15 of the Scheme, as canvassed by the learned counsel for the petitioners, cannot be readily inferred. Thus, notwithstanding the conflict in the provisions of paragraph 1.1.15/1.1.16 and 1.2.1 as pointed out by the learned counsel for the petitioners, the submission that individual forms of each person who has been surveyed is required to be uploaded within a period of seven days from his data being collected cannot be accepted.

9. In view of the above, we consider it apposite to dispose of the present petitions by directing the respondents to ensure that the survey application forms are available online within a period of seven days from the



completion of data collection as contemplated in paragraph 1.1.15 of the Scheme.

10. The petitions are disposed of in the aforesaid terms.

**VIBHU BAKHRU, J.**

**ANOOP KUMAR MENDIRATTA, J.**

**FEBRUARY 13, 2025/tr**

[Click here to check corrigendum, if any](#)