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

Date of Decision: 20th May, 2025

+ **W.P.(C) 6772/2025 & CM APPLs. 30707/2025, 30708/2025**

KAILASH SINGH

.....Petitioner

Through: Mr. Bharat Aggarwal, Mr. Kanhayia
& Ms. Rekha Panwar, Advs.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.Respondents

Through: Mr. Mananjay Mishra, Adv. for
NDMC.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPLs. 30707/2025, 30708/2025 (for exemptions)

2. Allowed, subject to all just exceptions. Applications are disposed of.

W.P.(C) 6772/2025

3. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, seeking issuance of a Certificate of Vending (*hereinafter* 'CoV') in terms of the Government of National Capital Territory of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019 (*hereinafter* "*the 2019 Scheme*").

4. The Petitioner is stated to be a permitted vendor at site no. 98, Laxmi Bai Nagar Vendor Market, New Delhi. According to the Petitioner, the survey was initiated by the Town Vending Committee (*hereinafter* "*TVC*") under the



2019 Scheme on 2nd January, 2025. The Petitioner is stated to have been surveyed on 2nd April, 2025. However, no CoV has been issued to the Petitioner till date. Hence, the present petition.

5. The case of the petitioner is that the CoV ought to be issued within a period of 30 days from the end of the review period by the TVC *i.e.*, not later than five months from the initial declaration of the survey in terms of paragraph 1.2.1 of the 2019 Scheme. Thus, the prayer is for issuance of a CoV.

6. On the other hand, Id. Counsel for the New Delhi Municipal Council (hereinafter “NDMC”), relies upon Clauses 1.1.15 and 1.1.16 of the 2019 Scheme to argue that the various steps which are to be taken after the survey is completed, are yet to be achieved. Thus, the CoV cannot be issued at this stage to the Petitioner, as the Petitioner’s candidature for the issuance thereof has not yet been approved. The NDMC is presently only issuing provisional COVs to vendors.

7. Heard the Id. Counsels for the parties.

8. The relevant clauses of the 2019 Scheme read as under:

“(1.1.1) The Town Vending Committee (TVC) shall, with the assistance of the Government/local bodies, conduct and conclude a comprehensive digitized photo census /survey of all vendors and GIS mapping of all existing street vendors within the area under its jurisdiction within a period of three months from the date of order by TVC, and subsequent surveys shall be carried out after every three years. No existing vendors may be relocated or evicted until the completion of survey activities described below.

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(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.

(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.

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(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.”

9. A perusal of the above would show that the various steps envisaged under the Scheme are as under:

**Step I:**

Conducting a comprehensive digitized photo census/ survey of all vendors.

**Step II:**

Data collection from the field to be completed within 180 days of declaration of survey by the TVC.

**Step III:**

Within 30 days from the end of review period, the TVC in consultation with Local Body shall analyse and compile a list surveyed persons who will receive a Certificate of Vending.

**Step IV:**

Any person having any claim/objection to the street-vending application may file the same with the TVC within 15 days of the date of publication on the official website.

10. In the opinion of this Court, since the survey is not yet complete, the present petition itself is premature. The only direction that can be passed, at this stage, is that upon the completion of the survey in terms of the 2019 Scheme, the Petitioner's case would be considered for the purpose of issuance of CoV, if the Petitioner is found so eligible, as per law.



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11. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

RAJNEESH KUMAR GUPTA
JUDGE

MAY 20, 2025/*Rahul/msh*