

PEÁOI PÁ C@Á ÁSÁwÁ C@PÍCP ÚPÁ Á ÁIÁÁVPE CZPÁEAM , PÁÖgzÁ PÁÁIÖZPÖ, C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ E ÁSÉ E ÁEÁB VPÍE ÁZÁ EÁJ UÉ SgÁ ÁVÉ ÖÁUME ÁÁÁÇÉÁ DZÁÁZPÁ UÉ EÁ ÁZÁÖÁ ÁÁÁÁR CÇÜÁEa Á ÁVZÉ

PR-357
SC-30

PEÁOI Pá GÁdA ÁGÁ DZÁ ÁEÁ ÁGÁ ÁVÁU C@ÁÁ ÖÉJ ER É

CPÁ ÁMÁ

ÁÖgzÁ CÇÁEÁ PÁÁIÖZPÖ

C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ E ÁSÉ

C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ Á ÁÁÁÁ

CÇÜÁEÁ

ÁSÍ MWD 28 MDC 2019, ÁUÁEgÁ, ÇEÁAPÁ 30-07-2019.

PEÁOI PÁ C@Á ÁSÁwÁ Öleí ÁVÁU ÁPÍÁ E ÁSÁÁÁ CÇÁEÁZP É SgÁÁ ÖÁÁIÁEÍ C@PÍCP ÁÁWÁ CZPÁ ÁÁUME GÁZÁZPÁEÁV ÁÖgzÁ CÇÜÁEÁEÍ ÁSÍ MWD 595 MDS 2018, ÇEÁAPÁ 29-11-2018 GEÁÁ 2Á Ptef eÁeíÖ, ÁÁEÁ ÁÁÁF ÁÁÁÁ E ÁEÁB CZPÁEÁV ÖÁUME 2Á LÁÁEÍ Á.ÁEÁ, ÁÁEÁ PEÁOI PÁ «ZÁEÁ ÁJ ÁVÍ ÁÁÁÁ E ÁEÁB GÁZÁZPÁEÁV EÁ ÁZÁÖÁ ÁÁÁÁR CÇÜÁEÁEÁEÁB F VPÍE ÁZÁ EÁJ UÉ SgÁ ÁVÉ gzÁÁY Á ÁVZÉ

ÖÁÁIÁEÍ C@PÍCP ÁÁWÁ CZPÁEÁV ÁÖgzÁ PÁÁIÖZPÖ, C@Á ÁSÁwÁ PÁ ÁÁt Öleí ÁVÁU ÁPÍÁ E ÁSÉ E ÁEÁB VPÍE ÁZÁ EÁJ UÉ SgÁ ÁVÉ ÖÁUME ÁÁÁÇÉÁ DZÁÁZPÁ UÉ EÁ ÁZÁÖÁ ÁÁÁÁR CÇÜÁEa Á ÁVZÉ

PR-358
SC-30

PEÁOI Pá GÁdA ÁGÁ DZÁ ÁEÁ ÁGÁ ÁVÁU C@ÁÁ ÖÉJ ER É

CPÁ ÁMÁ

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C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ E ÁSÉ

C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ Á ÁÁÁÁ

CÇÜÁEÁ

ÁSÍ MWD 84 WES 2019, ÁUÁEgÁ, ÇEÁAPÁ 30-07-2019.

PEÁOI PÁ C@Á ÁSÁwÁ Öleí ÁVÁU ÁPÍÁ E ÁSÁÁÁ CÇÁEÁZP É SgÁÁ PEÁOI PÁ GÁdÁ ÁPÍÁ ÁJ ÁVÍ ÁÖgzÁ CÇÜÁEÁEÍ ÁSÍ MWD 03 WFW 2016, ÇEÁAPÁ 26-08-2017 GEÁÁ CZPÁEÁV EÁ ÁZÁÖÁ ÁÁÁÁR CÇÜÁEÁEÁEÁB F VPÍE ÁZÁ EÁJ UÉ SgÁ ÁVÉ gzÁÁY Á ÁVZÉ

PEÁOI PÁ GÁdÁ ÁPÍÁ ÁJ ÁVÍ ÁÖgzÁ PÁÁIÖZPÖ, C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ E ÁSÉ E ÁEÁB VPÍE ÁZÁ EÁJ UÉ SgÁ ÁVÉ ÖÁUME ÁÁÁÇÉÁ DZÁÁZPÁ UÉ CZPÁEÁV EÁ ÁZÁÖÁ ÁÁÁÁR CÇÜÁEa Á ÁVZÉ

PR-359
SC-30

PEÁOI Pá GÁdA ÁGÁ DZÁ ÁEÁ ÁGÁ ÁVÁU C@ÁÁ ÖÉJ ER É

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C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ E ÁSÉ

C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ Á ÁÁÁÁ

CÇÜÁEÁ

ÁSÍ MWD 84 WES 2019, ÁUÁEgÁ, ÇEÁAPÁ 30-07-2019.

PEÁOI PÁ C@Á ÁSÁwÁ Öleí ÁVÁU ÁPÍÁ E ÁSÁÁÁ CÇÁEÁZP É SgÁÁ PEÁOI PÁ GÁdÁ ÁPÍÁ ÁÁÁÁ C@PÍCP ÁÁMÁEÁPE ÁÖgzÁ CÇÜÁEÁEÍ ÁSÍ MWD 02 WFW 2016, ÇEÁAPÁ 18-03-2017 GEÁÁ CZPÁEÁV EÁ ÁZÁÖÁ ÁÁÁÁR CÇÜÁEÁEÁEÁB F VPÍE ÁZÁ EÁJ UÉ SgÁ ÁVÉ gzÁÁY Á ÁVZÉ

PEÁOI PÁ GÁdÁ ÁPÍÁ ÁÁÁÁ C@PÍCP ÁÁMÁEÁPE ÁÖgzÁ PÁÁIÖZPÖ, C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ E ÁSÉ E ÁEÁB VPÍE ÁZÁ EÁJ UÉ SgÁ ÁVÉ ÖÁUME ÁÁÁÇÉÁ DZÁÁZPÁ UÉ CZPÁEÁV EÁ ÁZÁÖÁ ÁÁÁÁR CÇÜÁEa Á ÁVZÉ

PR-360
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PEÁOI Pá GÁdA ÁGÁ DZÁ ÁEÁ ÁGÁ ÁVÁU C@ÁÁ ÖÉJ ER É

CPÁ ÁMÁ

ÁÖgzÁ CÇÁEÁ PÁÁIÖZPÖ

C@Á ÁSÁwÁ PÁ ÁÁt, Öleí ÁVÁU ÁPÍÁ E ÁSÉ

REVENUE SECRETARIAT

NOTIFICATION - 1

NO: RD 156 ETC 2010, BENGALURU, DATED: 08.01.2013

In exercise of the powers conferred by Sub-Section (1) & (2) of Section 20 of the Disaster Management Act, 2005 (Central Act 53 of 2005), the State Executive Committee constituted by State Government, vide Notification – 4, No: RD 28 ETC 2006, Dt: 16.05.2010 is hereby reconstituted as follows to carry out the various functions assigned to it under the said Act, viz :-

(1)	The Chief Secretary to Government of Karnataka	Chairperson (Ex-officio)
(2)	Additional Chief Secretary to Government and Developmental Commissioner	Member
(3)	Principal Secretary to Government, Energy Department	Member
(4)	Principal Secretary to Government, Agriculture Department	Member
(5)	Principal Secretary to Government, Rural Development & Panchayat Raj Department	Member
(6)	Principal Secretary/Secretary to Government, (P.C.A.S) Home Department	Member
(7)	Secretary to Government, Finance Department (Budget & Resource)	Member
(8)	Secretary to Government, Revenue Department, Disaster Management	Member Secretary

DGP & Commandant General, Home Guards,

Director of Civil Defence &

Director of Fire & Emergency Services, Bengaluru. ----- Permanent Invitee

PR - 395

By Order and in the name of the Governor of Karnataka

SC - 50

S.M.ANANDAPPA

Under Secretary to Government

Revenue Department

(Disaster Management & Services – 2)

REVENUE SECRETARIAT

NOTIFICATION - 2

NO: RD 156 ETC 2010, BENGALURU, DATED: 08.01.2013

In exercise of the powers conferred by Sub-Section (1) & (3) of Section 25 of the Disaster Management Act, 2005 (Central Act 53 of 2005), the District Disaster Management Authorities constituted by State Government, vide Notification – 6, No: RD 28 ETC 2006, Dt: 16.05.2010 is hereby reconstituted in each of the 8 Districts having City Corporations (Bangalore Urban, Mysore, Belgaum, Hubli-Dharwad, Bellary, Gulbarga, Mangalore and Davangere) with the following as Chairperson and Members of the Authority namely :

(1)	Deputy Commissioner of the District concerned	Chairperson
(2)	President of the Zilla Panchayat of the District concerned	Co-Chairperson
(3)	Chief Executive Officer of Zilla Panchayat of the District	Member
(4)	Superintendent of Police of the District	Member
(5)	Commissioners, City Corporation	Member
(6)	District Health Officer of the District	Member
(7)	Additional Deputy Commissioner of the Districts	Chief Executive Officer

(a) Executive Engineer of the Zilla Panchayat of the District ----- Permanent Invitee

(b) Joint Director of Agriculture in the Districts ----- Permanent Invitee

PR - 396

By Order and in the name of the Governor of Karnataka

SC - 50

S.M.ANANDAPPA

Under Secretary to Government

Revenue Department

(Disaster Management & Services – 2)

**SKILL DEVELOPMENT ENTREPRENEURSHIP AND LIVELIHOOD SECRETARIAT
NOTIFICATION**

No. SDEL 01 ELS 2019, BENGALURU, DATE: 22.07.2019.

In exercise of the powers conferred by section 38 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central act 7 of 2014), the Government of Karnataka hereby frames the following scheme, namely:-

CHAPTER I. PRELIMINARY

1. Title, commencement.- (1) This Scheme shall be called as the Karnataka Street Vendors (Protection of Livelihood, Regulation of Street Vending and Licensing) Scheme, 2019.

(2) It shall come into force at once.

2. Objective of the Scheme.- The objective of this scheme is to enhance capacity, provide a supportive and enabling environment for street vendors to carry out their vocation and to promote business best practices among street vending businesses for sustainable growth in accordance with the Act and Rules.

3. Definitions.- In this Scheme, unless the context otherwise requires,-

- (a) "Act" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act 7 of 2014);
- (b) "Form" means the form appended to this Scheme;
- (c) "Government" means the Government of Karnataka;
- (d) "Rules" means the Karnataka Street Vendors(Protection of Livelihood and Regulation of Street Vending) Rules, 2019 ;
- (e) "No vending zone" means an area within the jurisdiction of a Town Vending Committee where no street vendors are permitted;
- (f) "Time restricted vending zone" means an area in a town where vendors are permitted only during certain hours of the day or certain days of the week as fixed by the Town Vending Committee; and
- (g) "Town Vending Committee" means a committee constituted under Section 22 of the Act.
- (h) "Local Authority" or "Urban Local Authority" means the urban local body.

(2) Words and expressions used, but not defined in this Scheme shall have the same meaning respectively assigned to them in the Act.

CHAPTER II: SURVEY

4. Manner of Conducting Survey.- (1) The survey of street vendors shall be done in-situ for the existing vendors only and no survey shall be carried out by calling for particulars from the vendors by announcements.

(2) The survey of street vendors shall be carried out by the Town Vending Committee and completed within a period of three months from the date on which the Scheme is notified.

(3) The Town Vending Committee with the assistance of the Government or Local Authorities shall, conduct a comprehensive digitized photo census or survey of all vendors and GPS or 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 the Town Vending Committee, and subsequent surveys shall be carried out after every three years. For this purpose, the local authority shall depute its staff and / or outsource to assist the Town Vending Committee. The Town Vending Committee shall conduct, monitor, supervise the survey and carry it out by undertaking comprehensive digitized photo-biometric census, GPS or GIS mapping of the existing stationary and other vendors including ascertaining geo-locations of each stationary street vendor and geo - fence of each mobile street vendor with the assistance of Local Authorities officials. The survey shall be conducted through CAOs, COOs, Health Inspectors and Sanitary Inspectors available with the Local Authority. The Town Vending Committee and the Local Authority may engage on outsource basis, the services of a professional agency with competence in carrying out surveys using web applications and mobile applications to carry out photo - survey, registration survey, socio - economic survey and geo-tagging of street vendors following due procedure prescribed by the State Urban Livelihood Mission (SULM). This shall facilitate comprehensive system of issuing Identity Cards or Smart Cards and Certificates of Vending and also preparation of analytical GIS based Vending Zone Plan. The cost for survey and preparation of the Vending Zone Plan shall be partly provided under the component of "Support to Urban Street Vendors" under National Urban Livelihood Mission. The data so collected in the survey is to be verified randomly, ten percent (10%) through the Town Vending Committee and one percent (1%) at Municipal Commissioner level for ascertaining the quality of the data so collected. The survey shall be videographed along with sound recording and date and time record in such a way that the surveying officials, agency representatives and each vendor and his business activities and actual space utilized and exact location are captured. The video record of each days survey shall be tagged and submitted along with the records of the survey. Survey and photography should be carried out in daylight unless the street vendor concerned only conducts his business at night. In case of the latter, survey videography shall be done with assistance of artificial illumination and flash. During survey, documents offered by the street vendor shall also be photo scanned and video graphed. Portable AEBAS device shall be used to record the fingerprint data of each street vendor. The location of static vendors and vending route of mobile vendors shall be

measured and timed by a suitable GPS device and physical measurement made wherever feasible. The products or services being vended shall be noted in detail and the vessel / vehicle of vending the product / services (stall / basket / cycle / cart / motorized vehicle) shall be correctly noted. Each surveyed street vendor shall be provided with a blank format Form II for analysis of his socio-economic status, business process, capital sources, profit / loss account, pricing policy etc which shall be explained to the vendor and sought to be filled up within four weeks and submitted at The Town Vending Committee office. All forms, photo - scans and bio-metric information along with geo-tag shall be uploaded to the web portal which shall be set up by Government for this purpose.

(4) The survey team shall proceed to enumerate the street vendors in a vending zone and shall record the details in Form I i.e name of the street vendor, gender, age, date of birth, place of birth, nature of trade /vending, mode of vending, parentage, spouse names, dependent children, place of vending, period since engaged in vending based on justifiable documentary evidence, address (present and permanent), contact number of the existing vendor, status of vendor category (person with disability / women/ SC/ ST) proof of vending including Court orders, identity proof, if any.

(5) The survey form or application for registration shall be computer generated with unique barcode or Unique ID number and same shall be mentioned in the acknowledgment receipt. During the survey, the survey form shall be cross - checked by the accompanying officials on the site or spot taking therein the details and necessary documents. If any document required is not available, a slip duly signed by the accompanying official shall be issued to the street vendor concerned to provide a copy of the same within a week at the Town Vending Committee office.

(6) During the survey, the original documents pertaining to present or permanent address proof, especially in the case of migratory population may also be verified so that the Identity Cards issued to the surveyed street vendors can act as sufficient documentation for opening of their bank accounts, getting loans from banks, accessing social security benefits or proof of the business they are engaged in. etc.

(7) The survey data must be collected in the prescribed format and the data is to be supported with a copy of the Ration Card, Voter-ID Card (EPIC) and Aadhar-Card, the signed (or) with thumb Impression declaration of the street vendor, photo as well as family photo, Geo - location collected by suitable GPS instrument / application and all documents must be uploaded through suitable web application / android application. The latest and most effective technology shall be deployed including the use of GPS, tablet and online gathering of survey data and its real time up-linking to central server. The photograph, the site coordinates of static vendors, geo - fence of mobile vendors the documents made available during the survey and the filled in form shall -be scanned and uploaded preferably in real time. The physical survey forms / application forms shall also be scanned and digitized which can be searched with unique ID number and / or barcode incorporated in the acknowledgment form given to the applicant/vendor at the time of survey. The Government shall set up a Web and Android Application to enable this.

(8) The Survey shall be video-graphed and still photography of each vendor surveyed at the site done with date place and time of survey mentioned in the register of the survey record.

(9) The Government shall appoint Survey Observers in every Urban Local Authority and shall audit, the validity of the survey data submitted by the Town Vending Committees.

(10) The official or facilitator completing the registration form or assisting the filling of form on the spot shall issue an acknowledgement bearing unique ID and / or Barcode for reference purpose.

(11) The fee for application form for applying for registration as street vendor shall be fixed at Rupees One Hundred.

(12) Local Authority / the Town Vending Committee shall also provide, through a Facilitation Service Provider, assistance to the street vendors to fill up the registration form.

5. Certificate of Vending.- (1) The eligibility conditions for registration as street vendors and subsequent issuance of Certificate of Vending are as under:-

- (a) The Vendor must be a citizen of India, having attained the minimum age criteria as prescribed in the Act.
- (b) The Vendor must be a registered voter of Karnataka. If the vendor's age is below 18 years, at least one of the parents of the vendor must be a registered voter of Karnataka.
- (c) The Vendor must possess a valid Aadhaar card from Karnataka.
- (d) Neither The Vendor nor any of his family members should have been registered as street vendor and should not have been granted certificate of vending (COV) by any other Local Authority of Karnataka. Family of the vendor shall constitute his spouse and dependent parents and children. The local Authorities shall share the data of the vendors for authentication of above information. The Web Portal shall run a de-duplication and verification software on the data at the time of registration itself and in-eligible registrations shall be cancelled.
- (e) Authenticity of being genuinely engaged in street vending shall be verified from proof of street vending activities like Festival Receipts, Token, Challan, Traffic Police Challan or Police Challan or any Receipt of Fine or Fees, Certificates of Market Associations. The documentary evidences so provided shall be scrutinized carefully and thoroughly and a finding shall be recorded by the official heading the survey. In case of any doubt, local community statement should be recorded from,-
 - (i) nearby shop keepers; and
 - (ii) residents (at least five) excluding other street vendors.

- (f) The responsibility of providing correct information in the Registration Form shall primarily be of the applicant. In case it is found that any false, incorrect or misleading information is provided by the applicant at any later time, the registration shall be cancelled and he shall be liable for prosecution for cheating or fraud or misleading or giving false information to a public servant.

The Town Vending Committees shall ensure that this is prominently printed in the registration and survey form and also explained to each applicant.

- (g) On receipt of application, the Town Vending Committee shall verify the documents, photos, videos and forms and if satisfied, shall issue within seven days an acknowledgement receipt to the street vendor of having registered with the Town Vending Committee as incorporated in Form I, which shall bear the computer generated unique ID number and / or the barcode that is mentioned in the application form. No applications shall be received after closure of the time period specified by the Town Vending Committee for the survey. All survey forms or registration application forms duly filled shall be computerized and digitized records shall be maintained. A copy of the duly filled in registration form shall be provided to the applicant, who can apply for corrections of errors within seven days.
- (h) Submission of application during the survey shall not be a guarantee for a regular registration. The registration shall be determined separately on the basis of eligibility and verification of documents furnished by the applicant. If the Town Vending Committee finds the applicant ineligible it shall issue an endorsement giving reasons for rejection within seven days. The applicants who are denied registration shall be compulsorily informed accordingly along with the reasons for denial of registration and shall be given an opportunity to file appeal through the concerned the Town Vending Committee. The applicant must file a copy of the endorsement along with the appeal.
- (i) Within fifteen days from completion of registration survey of the Street vendor, the Local Authority shall publish the information on its website and in a prominent place in its office. Such information shall be provided in user-friendly manner with search facilities.
- (j) Any person, having any claim or objection to the street vending application received or information provided by any applicant may file his/ claim/objection to the Town Vending Committee within fifteen days from the date of publication on the official website of the Local Authority. The Government and Local Authority may also through their officer or staff or through any other means, verify the details given by the Vendor in the application submitted by him. The Town Vending Committee shall take a decision in the matter within a period of thirty days after receipt of objection/claim or receipt of any adverse information from the Government or Local Authority.
- (k) The Local Authority may specify form, fee and security amount for filing the claim or objections which shall not exceed Rupees One Hundred for each application payable through bank draft or challan or cash against a receipt as the case may be.
- (l) Registration of a street vendor shall not confer upon them any right to vend or squat. The permission /certificate to squat/ vend shall be decided by the Town Vending Committee in consultation with the Local Authority depending upon the scheme, norms, Plan and the availability of space or site or holding capacity within the area.

(2) The Certificate of Vending (COV) shall be issued as soon as the survey is completed within three months of survey subject to the provisions of scheme, norm, plan and the availability of space or site and the holding capacity within the area. The Certificate of Vending shall be a laminated damage proof document as prescribed in the Rules.

(a) The Town Vending Committee shall within a period of ninety days from the date of completion of survey of street vendors in a Ward or Zone of a Local Authority, issue the Certificate of Vending to each street vendor identified in the survey and whose registration is accepted by the Town Vending Committee. The Certificate of Vending shall be issued by the Town Vending Committee in Form II. The certificate of vending, may also be in the form of e-certificate carrying individual details based on the survey. After verification of payment of required registration fees, nature of vending and allotment of vending zone, the Town Vending Committee shall approve the local status of applicant in the software, and the vending certificate shall get generated electronically. The electronically generated Vending Certificate shall be issued to the street vendor with the seal and sign of the Municipal Commissioner concerned duly taking proper acknowledgement. The number and details of the Vending Certificate issued shall be maintained in a separate Register.

(b) A person who wishes to carry on street vending during the intervening period of two surveys may make an application to the Town Vending Committee in Form III which shall be disposed of by the Town Vending Committee within a period of fifteen days from the date of its receipt.

6. Terms and Conditions for issue of Certificate of Vending.- The Town Vending Committee shall follow the following criteria for issuing Certificate of Vending, namely:-

- (a) the name of the street vendor shall be enumerated in the survey of street vendors carried out by the Town Vending Committee;
- (b) the vendor shall,-
- (i) not have any other means of livelihood, except street vending;
- (ii) not vend in any other place in the state of Karnataka

- (iii) be directly involved in street vending business and carry out street vending by himself or through any of his family members only (He or she may however employ any person above the age of 18 years to assist him or her);
 - (iv) have completed the age of eighteen years;
 - (v) not lease, rent or sell the Certificate of Vending to others and shall give an undertaking to the Town Vending Committee to this effect;
 - (vi) not have been prosecuted and convicted or penalized earlier for any reason or offence connected with vending such as adulteration, sale of narcotics etc.;
 - (vii) not be a legal heir of any person already holding a Certificate of Vending within the jurisdiction of the local authority concerned;
- (c) when there is shortage of place for vending, preference shall be given to the Schedule Castes, the Schedule Tribes, Other Backward Classes, women, persons with disabilities, transgender and minorities to the extent of inadequacy of their representation.
- (d) the Town Vending Committee concerned shall identify such of those vendors who are in need of preferential grant of Certificate of Vending after taking into account,-
- (i) their disability, special or unique nature of business like trading craft items;
 - (ii) the special nature of vending or services offered by a class or group of vendors limited to a specific area or such other factors that may require a preferential grant of certificate of vending in order to preserve such unique businesses or services.
 - (iii) whether the street vendors are carrying on or offering services to the visitors to any tourist or pilgrim centres on a seasonal or time of the day basis; and
 - (iv) The availability of space and the holding capacity of the vending area.

7. The form and the manner in which the certificate of vending may be issued to a street vendor.- (1) A Certificate of Vending shall be issued to the Vendor in the Form II, and shall include the personal details and family details of the principal vendor with photographs, the map of the site allotted or route with landmarks labeled, the details of the vending business, the category and sub - classification of the vending business, the location address or route and geo location of the site allotted, the period of the license or registration, the timings and days or period of the vending license and any other relevant information, including unique ID and / or barcode permission to use commercial LPG or tools or Food Safety conditions etc..

(2) If the Certificate of Vending is not collected by the vendor within seven days of intimation, or cannot be received electronically, the Certificate of Vending shall be dispatched to the Vendor through Registered Post or Speed Post to the residential address declared by him in the application.

(3) A Temporary Certificate of Vending (TCOV) in Form II may be issued by the Town Vending Committee to Temporary Street Vendors on occasions of special vending events like festivals, fairs, exhibitions, events held on or alongside public streets and roads. In such cases the organiser or the participant vendors with the endorsement of the organiser shall apply in the Form-I at least three days before the event giving all details and documents to the Town Vending Committee which shall issue Temporary Certificate of Vending at **specified** rates for the number of days not exceeding thirty days. No such event shall be organised without obtaining Temporary Certificate of Vending from the Town Vending Committee and the Town Vending Committee shall while issuing Temporary Certificate of Vending ensure that the rights of existing Certificate of Vending holders are not affected. No Temporary Certificate of Vending shall be issued unless the organiser of the event or the applicant has obtained prior permission of the concerned Local Authority and where necessary concerned Police Authorities.

8. Identity card or Smart Card.-

(1) An identity card or Smart Card shall be issued by the Town Vending Committee to each street vendor in Form-III which is enabled to carry the particulars of the street vendor and also other details including the digitized location map of the vendor's allotted site with geo location.

(2) Loss or damage of identity card or smart card shall be reported by the vendor to the Town Vending Committee within a period of thirty days. The Vendor shall make an application for issue of duplicate identity card or smart card to the Town Vending Committee with a fee of rupees two hundred and a duplicate Identity Card or smart card shall be issued to the Vendor within a period of thirty days from the receipt of the date of application. The loss of identity card shall be reported to the Local Police. The damaged identity card shall be deposited to the Local Authority along with the application for issue of duplicate.

(3) A database of all street vendors registered shall be maintained by **Local Authorities** and **SULM** in a Web Portal with a suitable Server with suitable Web Application, Android Application and Software, which can help in verifying the particulars of a street vendor from database of other Local Authorities for detecting any duplications of claims of vending and if already covered under any beneficiary scheme or survey.

9. Classification of street vendors.-

(1) For the purpose of issue of Certificate of Vending, the street vendors shall be categorized and sub - classified as follows:

- (a) Vendors vending a skill or service, example:- Barber, Knife Sharpener, Street Artist etc.,

(b) Those vending products or goods with or without adding value, example:- Cooked Food Seller, Whole Fruit / Vegetable seller, Cut Fruit Seller etc.,

(2) Within the above categories, Vendors would be sub - classified as:-

(a) Stationary vendors:- Persons carrying on vending business in articles or goods or services in a particular place who carry the articles or goods and the pallets or other implements used by them for vending by human effort;

(b) Mobile vendors:- Persons carrying on vending business in articles or goods or services using hand pulled or pedal powered vehicles or vehicles using animal power not coming within the purview of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) and for which no license to operate is required under any other law for the time being in force;

(c) Mobile vendors using motor vehicles:- Persons carrying on vending business in articles or goods or services using motor vehicles of any description, the operation or movement of which requires a license under the Motor Vehicles Act, 1988 (Central Act 59 of 1988) or any other law in force;

(d) Peripatetic Vendors : Persons carrying on vending business in articles or goods or services by moving from place to place within a certain route who carry the articles or goods and the pallets or other implements used by them for vending by human effort particularly by head-load; and

(e) Other:- The Town Vending Committee concerned may also identify other categories of street vendors such as,-

(i) vendors in weekly markets, hats;

(ii) vendors in heritage markets;

(iii) vendors in night bazaars; and

(iv) Temporary vendors in festival markets or events.

The Town Vending Committee may provide for the integration of such vendors or for a separate facility for such vendors to enable them to continue their business.

(3) The Local Authority shall allocate sufficient space for temporary 'Vendor Markets e.g. Weekly hats, night bazaars, festival bazaars, food streets or street food marts at suitable locations whose use at other times may be different e.g. public parks, exhibition grounds, parking lot, etc. keeping in view demand for services of the vendors: Timing restrictions on vending to be in accordance with the need for ensuring non congestion of public spaces or maintaining public hygiene. Rationing of space to be resorted if street vendors numbers exceed the space available, or carrying capacity. Ample parking area also to be provided for mobile vendors for parking of vehicles and wares at night on payment of specified fee.

(4) No vendor shall be entitled for registration or issuance of Certificate of Vending for more than one category of vending.

(5) Vendors, who sell their wares from a fixed or Pucca or Kachcha immovable structure (allotted either by Government or private person) shall be treated as shops under the Karnataka Shops and Establishment Act, 1961 (Karnataka Act 8 of 1962). No benefit of Street Vendor Scheme shall be available to such vendor, who operates from such immovable structure (temporary or permanent), whether authorized or unauthorized.

(6) The other categories of persons for preference for issue of certificate of vending: Preference in issue of Certificate of Vending may be given to the following categories:-

(a) Persons with Disability : Allotment of three percent of the vending sites in all categories, rounded off the next integer shall be for persons with Disabilities. rounded of the next the preference allotment of three percent in above category shall be available on production of Disability Certificate (with photograph) issued by Competent Govt. Medical Authorities as defined in the relevant Act in force.

(b) Women: one third of vending sites in all categories, rounded off the next integer shall be reserved for women. Preference to Widows shall be given on case to case basis; and Transgenders may be accommodated within this allocation on case to case basis

(c) Scheduled Castes and Scheduled Tribes: Eighteen percent of sites rounded off to the next integer shall be allotted to the persons belonging to the Scheduled Castes and seven percent rounded off the next integer to the Scheduled Tribes on production of the relevant certificate issued by competent authority.

Chapter III: Vending fees

10. Vending fees.-(1) The vending fees to be paid on the basis of category of street vending, may be different for different zones. The vendor himself shall pay the vending fee on monthly basis and shall submit the vending fee, in advance, by tenth day of every month at the Town Vending Committee's Counter of the respective zone or area. If the tenth day of a month is a Public Holiday then by the next working day.

(2) Penalty shall be charged for delay in making payment at two percent of the monthly vending fee per day (or as may be decided by the Town Vending Committee in accordance with specified vending zone) for the delay. If the delay is more than three months, the registration of street vendors shall be cancelled after issue of a show cause notice and considering the reply if given within ten days.

(3) The vending fees for various categories of vendors shall be fixed by local authority as mentioned in the table below:-

SI No	Category of Street Vendors	Sub - Classification of Street Vendors	Vending fee for Type E			Type of Vending Zone based on Annual Footfalls & Commercial Status			
			Upto 10 sq.ft.	From 10 to 25 sq.ft.	More than 25 sq.ft.	A	B	C	D
	Vendor selling Skill / Service	Stationary vendor(Full time)	0.5% of the Guidance value subject to minimum of Rs 750/- per annum	1% of the Guidance value subject to a minimum of Rs 1500/- per annum	1.5% of the Guidance value subject to a minimum of Rs 3000/- per annum	300%	200%	150%	125%
		Stationary Vendor (Part Time or time sharing)	0.25% of the Guidance values subject to a minimum of Rs 185/- per annum	0.5% of the Guidance value subject to a minimum of Rs 375/- per annum	0.75% of the Guidance value subject to a minimum of Rs 550/- per annum.	300%	200%	150%	125%
		Mobile vendor(with motor vehicle)	Minimum Rs 375 per year			300%	200%	150%	125%
		Mobile vendor (vehicle without motor)	Minimum Rs 250 per year			300%	200%	150%	125%
		Peripatetic vendor (head loads)	Minimum Rs 150 per year			300%	200%	150%	125%
	Vendor selling Goods / Products	Stationary vendor(Full time)	1% of the Guidance value subject to minimum of Rs 750/- per annum	2% of the Guidance value subject to a minimum of Rs 1500/- per annum	3% of the Guidance value subject to a minimum of Rs 3000/- per annum	300%	200%	150%	125%
		Stationary Vendor (Part Time or time sharing)	0.5% of the Guidance values subject to a minimum of Rs 375/- per annum	1% of the Guidance value subject to a minimum of Rs 750/- per annum	1.5% of the Guidance value subject to a minimum of Rs 1500/- per annum.	300%	200%	150%	125%
		Mobile vendor(with motor vehicle)	Minimum Rs 750 per year			300%	200%	150%	125%
		Mobile vendor (vehicle without motor)	Minimum Rs 500 per year			300%	200%	150%	125%
		Peripatetic vendor (head loads)	Minimum Rs 250 per year			300%	200%	150%	125%

(4) The Town Vending Committee shall designate the vending zones as A, B, C, D and E, considering the footfall, commercial potentials, facilities and such other factors. The rate of vending fee shall be enhanced as per the scheme.

(5) The vending fee shall be revised at least once in three years and shall be published in the notice board of the concerned local authority. At the time of revision, average Guidance Value and inflation rate of the previous three years shall be taken into consideration.

(6) The Local Authorities shall provide options, for the vendors, to deposit the specified fees directly in any public bank or through an online mechanism, taking care to ensure there is no surrogate payment.

(7) Inability to vend during a specified period shall not be a ground for not paying or granting exemption from payment of the monthly license fee for vending. A vendor or his nominee, in case of unavoidable circumstances, may submit a request in writing to the Town Vending Committee for consideration of exemption on the grounds of inability to vend. On such request, the Town Vending Committee if it finds valid reasons, shall within fifteen days pass an order suspending the Certificate of Vending and shall ensure that till an application by the Certificate of Vending holder or his or her nominee is made to restore the vending spot or route, the same shall remain vacant.

(8) The vendor operating in different categories of Vending area shall have to pay the fee as per the category defined by the Local Authority.

(9) In case of relocation, the street vendor shall pay the license fee of new site or space as per its category and rate fixed during remaining period of validity of Certificate of Vending.

(10) The Town Vending Committee shall have powers to enhance the vending fee from time to time; or specify special vending fee for special areas which shall be notified after prior approval of the Government. In case upper limit of the category fixed in Para 10(3) is to be enhanced, the prior approval of the Government is required.

(11) A rebate of twenty five percent shall be allowed in case of vendors who are Persons with Disabilities, the Scheduled Castes, the Scheduled Tribes Women or Transgender Vendors. For this purpose concerned document (Voter ID in case of Woman and Transgender, or certificate shall be furnished and the benefit shall be available only under any one category.

11. General conditions to be observed by the holder of Certificate of Vending.- (1) A vendor shall not transfer in any manner whatsoever, the Certificate of Vending to any other person. The Registration certificate or Certificate of Vending cannot be leased out rented or sold in any manner to any other person. Under no circumstance the street vendor shall sublet the vending site. Any such eventuality shall lead to cancellation of the Certificate of Vending by the Town Vending Committee after giving an opportunity of hearing to the holder.

(2) In case the question of public interest arises the right to restrict, evict and relocate a vendor with a Certificate of Vending shall vest with the Town Vending Committee. The street vendor shall vacate the site forthwith after issue of notice, if required in public interest.

(3) In case of incapacity of the licensee due to health or other reasons, an intimation within thirty days shall be given to the Town Vending Committee which may permit an adult member (spouse or dependent child who has attained an age as prescribed in the provisions of the Act of the Vendor's household as specified in the application format to vend from the vending site given in the Certificate of Vending.

(4) In case of death or incapacitation of the registered street vendor, the legal heir (s) or a surviving parent of the vendor may apply to the Town Vending Committee for transfer of registration or the Certificate of Vending in the name of the legal heir (s) or legal guardian(s) provided he has no other means of livelihood. There shall be no change in the date of expiry of the Certificate of Vending in case transfer is allowed.

(5) A Vendor who has already erected a temporary or a permanent structure at the vending site shall not be eligible for issue of Certificate of Vending under the scheme till the time he removes or demolishes the temporary or permanent structure raised on the vending site by him. Similarly if any vendor has established an illegal electrical connections for his vending activity from the public electric distribution system, he or she shall not be eligible for issue of certificate of vending under the scheme till connection is removed.

(6) The Vendor shall keep a copy of Certificate of Vending at his vending site and the original document to be produced as and when demanded by the Town Vending Committee. Each vendor holding a Certificate of Vending shall also be provided with a digital folder on the SULM or Skill Development, Entrepreneurship and Livelihood Department's Web portal where his documents can be stored safely and made available for online verification. The Web Application and Android Application of the SULM or Skill Development, Entrepreneurship and Livelihood Department shall also provide, in future, the vendor with the facility to upload directly, photos of his business activity, records, documents, data, applications for projects, grievances, advertisements etc and receive information, data and program inputs and benefits online. The SULM and Skill Development, Entrepreneurship and Livelihood Department may in stages further expand the services of the Web Application to allow the vendor to market, promote and improve his business, online.

(7) The Vendor shall keep the street and premises around his place of vending clean. He shall deploy and maintain of a suitable capacity waste bin next to his place of vending for the purpose of collection of waste by his customers or other public. He shall, from time to time empty the bin at designated place specified by the Local Authority.

(8) The Vendor shall pay due attention to public health and hygiene in the vending zone or vendors' market and the adjoining area. She/he shall contribute to promote the collective disposal of waste in the vending zone or area. Vendor shall not dump any waste in drain, roadside, open areas or any other unauthorized place.

(9) The street vendor shall not encroach upon the public land beyond the permissible limits. The space for vending shall not be more than 6 x 4 feet subject to conditions specified below. The vendor's space shall not occupy more than fifty percent of the footpath. No permanent or temporary structure shall be allowed for street vending. The vendor shall keep all his wares confined to the allotted space. No projections, extensions shall be protruding from the space of vending.

(10) The Vendor shall not hamper the free movement of pedestrian and traffic in any way. Vendor shall operate from the edge of the road/ street (if vending from a street) and shall not cause any obstruction to smooth movement of traffic or pedestrians or non-motorized vehicles. He shall ensure that his customers or any other person shall not do unauthorized parking next to his vending site and shall report the matter to the Town Vending Committee.

(11) The vendor shall not sell obnoxious, hazardous and polluting items. It is to be ensured that the quality of product and services provided to the public is as per the standards of public health, hygiene and safety laid down and any violation shall be reported to the Town Vending Committee.

(12) The street vendor shall not carry out any unauthorized or illegal activity and shall report any such occurrence to the Town Vending Committee.

(13) The Mobile Vendor shall not occupy or stop at any place that is prohibited for street vending. Mobile Vendor shall not stop for a period of more than thirty minutes at any place within his hawking zone or vending zone.

(14) Certificate of Vending shall be cancelled on breach of any condition specified in the Act or Rules or Scheme or if the Certificate of Vending is obtained through mis-representation or fraud.

(15) Certificate of Vending is liable to be cancelled on non-payment of license fee and or penalty for three continuous months. No vending shall be allowed in case of default of the payment of license fee for continuous period of two months.

(16) On cancellation or termination of permission to vend, the street vendor shall peacefully vacate and hand over the possession of the vending site immediately to the Local Authority.

12. Recovery of arrears of vending fee.- (1) In case a street vendor fails to pay the vending fee by the due date, the Town Vending Committee may initiate proceedings for recovery of vending fee as per the following procedure, namely:-

- (a) a notice of demand shall be served by the Officer designated by The Town Vending Committee as Vending Regulation and Fee Recovery Officer upon the Vendor for payment of the vending fee plus the delay charges by the date specified in the notice, or to show sufficient cause of failure;
- (b) if the vendor shows sufficient cause for failure, the Town Vending Committee shall do a summary inquiry into the cause and shall proceed accordingly under intimation to Local Authority;
- (c) the Town Vending Committee may take action, which may inter-alia include- confiscation of goods or wares and other items, release of confiscated goods (if any); initiation of cancellation proceedings etc.; and
- (d) in case of failure of the above measures, the defaulter shall be referred to the Revenue Authorities for recovery of dues as arrears of land revenue.

(2) The manner of collecting, vending fees, maintenance charges and penalties for registration, use of parking space for mobile stalls and availing of civic services shall be as under,-

- (a) Banks may be designated to collect fee which shall be subsequently remitted to the Town Vending Committee; or
- (b) Vending Fee may also be payable at designated location of the Town Vending Committee; or
- (c) Town Vending Committee may make alternate arrangements such as online payment facility.

13. Validity of Certificate of Vending and Renewal.- (1) The validity period of a Certificate of Vending shall be initially for three years from the date of its issuance subsequent to which it shall be renewed every three years. Total period of Certificate of Vending validity shall be nine years including renewal periods subject to no violations of the provisions of the Act, Rules and the scheme.

(2) The transfer of Certificate of Vending to legal heirs shall not be construed as a fresh Certificate of Vending and the maximum validity shall remain nine years from initial issue to the original vendor.

(3) The registered street vendor shall apply for renewal of Certificate of Vending at least three months prior to its expiry to the Town Vending Committee.

(4) The officer designated by the Town Vending Committee shall receive the certificate of vending for renewal under an acknowledgement and receipt to the Vendor.

(5) The renewal shall be carried out by making endorsement on the Certificate of Vending by the designated officer and the renewed Certificate of Vending shall be delivered to the vendor either in person or dispatched by Registered Post Acknowledgement due to the residential address as provided in the application form.

(6) The fee for renewal shall be Rupees One Hundred only.

(7) The renewal of Certificate of Vending issued to a street vendor shall be for three years at a time.

(8) Any person, having any claim or objection regarding the application for renewal received or information provided by any applicant may file his claim or objection to the Town Vending Committee within thirty days from the date of the publication on the official

website of the Local Authority. The Town Vending Committee may also, through its staff, or through any other means verify an application for renewal received at any point of time. Claims or objections received as above shall be taken into consideration and decided before the certificate of vending is renewed.

14. Cancellation or suspension of Certificate of Vending.- (1) The Town Vending Committee concerned may cancel or suspend the Certificate of Vending of a street vendor, if the Certificate has been obtained by fraud or misrepresentation or if the vendor fails to pay any of the fees payable with respect to the Certificate of Vending to the local authority or such other dues to any authority under the Act or any other law applicable or commits any breach of the conditions of such Certificate or any other law, bye-law, rules or directions issued under the Act, Rules and the Scheme.

(2) No Certificate of Vending shall be cancelled unless the holder thereof has been given a notice giving a period of 15 days to submit his reply to the allegation based on which the Certificate is proposed to be cancelled. The period of 15 days shall be counted from the date on which the notice is served on the vendor or delivered to his last known address.

(3) A Certificate of Vending may be suspended for a fixed period of time for any violation of conditions of the Certificate which is rectifiable during such period of suspension:

Provided that, no prior notice may be required in a case of suspension of Certificate of Vending for a period of less than 7 days in order to prevent commission of an act detrimental to public health and order.

(4) In case action has been initiated against a vendor for violation of law or for causing public hazards or for failure to pay tax etc., the Town Vending Committee may suspend his Certificate of Vending after duly following the procedure specified in sub-clause (2).

(5) The Town Vending Committee may suspend or cancel the Certificate of Vending on following, among other grounds:-

- (a) Unauthorized change of vending site;
- (b) Non-payment of dues;
- (c) Street Vendor found to be suffering from infectious disease and hasn't been able to provide a certification from a prescribed medical authority that they're undergoing treatment for the disease and do not pose any risk of infection to others;
- (d) Violation of terms and conditions for grant of Certificate of Vending;
- (e) Extension of vending site more than the permitted space;
- (f) Misrepresentation in the application for grant of Certificate of Street Vending; and
- (g) On conviction for an offence including moral turpitude

(6) In case of minor violations, the Town Vending Committee may impose fine up to rupees two thousand and/or issue warning instead of recommending cancellation or suspend the Certificate of Vending for a period not exceeding three months or as may be necessary to regulate such violations. In case of second violation, the Town Vending Committee would be competent to impose a fine of rupees five thousand and / or suspend the license for six months. A third violation would attract a penalty of rupees ten thousand and / or cancellation of Certificate of Vending.

CHAPTER IV

Relocation of street vendors

15. Relocation of Street Vendors.- (1) In case of relocation of street vendors under sub-section (i) of section 18 of the Act, it shall be subject to the following conditions, namely:-

- (a) the relocation shall be done with the concurrence of the Town Vending Committee concerned.
- (b) as far as possible, the vendors shall be allotted locations in an adjoining area of equal or similar nature and economic importance as the original place;
- (c) in so far as possible, the density of the vendors in the new area shall be maintained;
- (2) In case, the conditions specified above are not possible to be complied with, the relocation shall be done with the concurrence of the Town Vending Committee, recording the reasons for such departure from the above conditions.

(3) In case the relocation is not possible in compliance of the conditions specified in sub-clause (1) and in case the vendors concerned either individually or as a group refuse to move or relocate, their Certificate of Vending shall be cancelled and they may be offered vending locations in other areas within the ward, zone or city and fresh Certificate of Vending shall be issued to them by the Town Vending Committee concerned.

(4) The public purpose or public interest involved in the relocation of vendors under this Scheme shall have to be separately arrived at on the basis of the fact that such relocation shall be for the betterment of the general public inclusive or not inclusive of the street vendors. While weighing the livelihoods of the street vendors against the public purpose for which they are sought to be relocated, the importance of the project for which they are displaced and the resultant benefit to the general public shall be compared. Projects such as creation of road infrastructure, under or over bridges, expansion of roads, pathways, pedestrian plazas, provision for bus stops, parks, water and other utility ducts, public street lighting, parking facilities, and such other similar activities shall deemed to be public purposes for which the vendors may be relocated. Such other purposes as are decided by the Government or Town Vending Committee

concerned as being beneficial to the public shall also be considered as public purposes for the relocation of street vendors and be binding.

(5) The public purpose for which a street vendor may be relocated shall be decided by the Town Vending Committee and the manner of relocating street vendor shall be as under namely:-

- (a) a street vendor who has been issued a Certificate of Vending shall be relocated only under exceptional circumstances and upon declaration of a vending zone or part of it to be a non-vending zone for public purposes like development project in public interest, security concerns, and traffic congestion, spread of epidemic and natural calamity or other health reasons, cleanliness of area or any other valid reason;
- (b) to the extent possible, the affected street vendor may be adjusted in same or nearby vending zone and also under the same type of vending as specified in Certificate of Vending subject to availability of vending space at the alternate site;
- (c) for relocation from the place specified in the Certificate of Vending, the affected street vendor shall be given a thirty days' notice by sending it through registered post at communication address of the street vendor and giving at least three choices in the same or nearby vending zone. If three alternate locations under the same type of vending as specified in the Certificate of Vending are not available, the affected street vendor may be given the choice of other categories of street vending. In case there are more than one vendor choosing same relocation site then the site shall be decided by draw of lots and second alternative site to be allotted to other vendor who does not get the chosen site as provided under sub-section (3) of section 4 of the Act; and
- (d) on or before the expiry of notice period, the street vendor shall give in writing to the Town Vending Committee his or her choice from the alternates made available. If the street vendor fails to give the choice, the Town Vending Committee shall issue the relocation order mentioning the new vending site or space, as deem fit and also fine up to Rupees Two Hundred and Fifty per day for over-stay and failure to vacate the site in time, if any.

16. Manner and method of eviction of vendors, seizure and disposal of goods.- (1) A street vendor, whose Certificate of Vending is cancelled under section 10 of the Act, or who vends without a certificate of vending or who vends in a no-vending zone shall be liable to be evicted immediately from his place of vending and his vending articles and goods shall be seized by the local authority and kept in its custody.

(2) The articles and goods of such street vendors shall be seized under a proper inventory and the signature of the street vendor concerned shall be obtained in the same. In case the vendor refuses to sign the inventory, the Health officer or Health inspector or Sanitary Inspector or Revenue Officer of the local authority concerned shall attest the inventory in addition to the attestation of the officials seizing the articles.

(3) If a vendor does not apply for the return of the articles and the goods seized by the local authority after the expiry of 24 hours, in case of perishable goods and after the expiry of fifteen days, in case of non-perishable goods, the local authority shall dispose of the same by an open auction. The proceeds of such auction shall be adjusted towards the charges and penalties, if any, that are payable by the vendor under the rules or the Scheme and the cost incurred for conducting the auction. The balance, if any, shall be kept in a separate account and paid to the street vendor on application.

(4) If a vendor or his legal heirs fail to claim the balance amount under sub-clause (3), within a period of three months, the same shall be forfeited by the local authority and deposited in its general account.

(5) A street vendor whose certificate of vending has been cancelled, or whose notice period in case of relocation has expired or who does not have a certificate of vending and vends without such certificate may be given a fifteen days notice to vacate the site and not to vend. No such notice is required to be given where such a street vendor is found to be causing traffic congestion, law and order problem etc.

(6) The manner of giving notice for eviction of a street vendor shall be as under:-

- (a) notice for eviction may be given preferably in local language which can be easily comprehended by the vendor and in case street vendor is illiterate, violations detected and mentioned in the notice can be informed verbally;
- (b) in case, the vendor refuses the service of notice or the service is not practically possible, the notice shall be pasted at the conspicuous place in the area of vending and on doing so, the notice shall be deemed to be served;
- (c) in case the vendor fails to vacate the site after expiry of the notice period, if any the goods, wares and articles shall be confiscated and removed, including the cart, containers and stands and the structure made by the vendor on the public place shall be demolished;
- (d) photographs of the site or spot before and after the removal action shall also be taken and a report to be submitted to the Town Vending Committee;
- (e) the designated officer shall make an objective assessment of the goods or wares seized; and
- (f) the list of goods seized shall be prepared in duplicate and duplicate copy of the list shall be issued to the vendor. The copy of the goods seized shall mention the name of the official, his designation and the office address and the address of the premises from where goods can be reclaimed. The seizure memo shall be in Form IV.

17. Reclaiming of seized goods and the fees for the same.- (1) The application for releasing seized goods, in case of perishable goods, shall be allowed to be submitted on the same day and in case of non-perishable goods within 15 days of the seizure. Beyond this period, the right of street vendors on the goods seized shall cease and the Local Authority is well within its rights to dispose of or auction the goods.

(2) The perishable seized goods shall be released within 24 hrs and non-perishable seized goods within three working days of the claim being made by the street vendor subject to payment of prescribed fee or penalty, which is to be deposited with the Local Authority. If any perishable or eatable item is found to be unhygienic or spoiled or rotten or not fit for human consumption, the same shall be destroyed by the local authority without any compensation to the claimant.

(3) The following storage charges shall be levied for reclaiming seized vending material.

Storage charges (In Rupees)	
Load up 100 Kg (24 hrs) per day	Rs. 250/-
More than 100 Kg per day	Rs. 500/-
Removal of Cycle	Rs. 50/-
Removal of Scooters/ Motor cycle	Rs. 300/-
Removal of Cars/Vans/Jeep	Rs. 500/-
Removal of commercial vehicles/ vehicles with commercial activities	Rs. 1000/-

CHAPTER-V

Maintenance of Records

18. Maintenance of Records.- Following up-to-date records shall be maintained in electronic form by the Town Vending Committee:-

- (i) Street Vendors Register;
- (ii) Certificate Of Vending Issued (with details);
- (iii) Waiting List Of Street Vendors- those have not been issued Certificate of Vending;
- (iv) List of all The Vending Zones with holding capacity;
- (v) Available site or space (Local Authority or vending zone wise);
- (vi) Records and Minutes of meeting;
- (vii) Resolutions of the Town Vending Committee;
- (viii) Attendance Register;
- (ix) Remuneration Register;
- (x) Accounts of Cash Book and General Ledger;
- (xi) Records of Suspension or Cancellation of Registration and Certificate of Vending;
- (xii) Records of Social Audit, Promotional Measures and Awareness Campaigns;
- (xiii) Personal files of Members of the Town Vending Committee.-All other matters as mentioned in Rule 25 of the Rules by the Local Authority;
- (xiv) Applicants denied registration;
- (xv) Details of Survey conducted;
- (xvi) Demand and Collection Register;
- (xvii) Individual files of each street vendor;
- (xviii) Rules, Schemes, Circular, Resolutions, Guidelines and Instructions;
- (xix) List of restriction-free, restricted and no-vending zones;
- (xx) List of time sharing basis vending zones;
- (xxi) Records of members of Grievances Redressal Committee; and
- (xxii) Records of all expenditure of the Town Vending Committee or other committees.

CHAPTER VI

Identification, Formation of and Maintenance of Vending Zones

19. Identification of Vending Zones and publication of Vending Zone Plan.- The Town Vending Committee shall within a period of six months from the date of the publication of this Scheme identify the "Vending Zones" (VZ), "Restricted Vending Zone" (RVZ) and the "No Vending Zones" (NVZ) for street vending and shall publish the details in the notice board and website of the local authority concerned as a Vending Zone Plan.

20. Preparing Vending Zone Plan.- (1) The Town Vending Committee shall prepare a Vending Zone Plan. The holding capacity of the street vendors of any particular area or locality shall be limited to 2.5 percent of the population of ward, zone or city, as the case may be.

(2) The Town Vending Committee, shall, identify the vending areas, based on the holding capacity, space available, number of vendors etc., and designate that area to be a vending zone duly keeping in mind all other relevant norms.

(3) The Town Vending Committee may resort to drawal of lots for issue of Certificate of Vending in a particular area, which is identified for vending. The unsuccessful applicants shall be given preferential right for relocation as prescribed in the Scheme.

(4) In areas having high population and low density of vendors and where there are adjacent vending areas having high density of vendors and low resident population, the Town Vending Committee shall devise methods to enable the relocation of street vendors to other population centres, so as to avoid inequitable concentration of vendors, heavy flow of traffic and the inconvenience of people in travelling to such high density vending areas.

(5) For effecting and orderly placement of street vendors the plan should rely on,-

- (a) Zoning of vending areas; and
- (b) Carrying capacity of the vending areas.

21. Zoning of Roads for Purpose of Organizing Street Vendors.- (1) The Vending Zone, Restricted Vending Zone and No Vending Zone shall be identified based on the potentials of the area of the street, volume of traffic, the number of pedestrians passing through the street and such other factors as may be material to identify the said zones in such a way that minimum inconvenience is caused to the general public using the street as well as the residents of the street and traders carrying on their business from the private properties abutting such street.

(2) The identification of the vending zones shall be done in consultation with the Traffic Police or Police having jurisdiction over the area concerned. The police may recommend a place to be a vending zone, the local authority concerned may accept, modify or reject the recommendations with due reasoning and designate a place or location as vending zone, as it deems fit.

(3) The Town Vending Committee may categorize a street in its entirety or in stretches under any of the following three zones in the manner given:

- (i) No Vending Zone: The following areas should be designated as no vending zones
 - (a) at least 200 meters from the entry and exit points of important government buildings, like State Secretariat, State Assembly, High Court, District Collectorate, offices of Zilla Panchayat, SP Office, Municipal Corporation or Municipality, Courts, Cantonment Board, Fire Brigade Stations, Govt. General Hospitals etc.;
 - (b) at least 100 meters from the entry and exit points of railway stations;
 - (c) at least 100 meters on both the sides of railway crossing falling within the city limits, at least 100 meters from the entry and exit points of bus terminus;
 - (d) areas as enjoined in the relevant provisions of Ancient Monuments and Archaeological Sites and Remains Act 2010 and the State Archeological Monument Protection Act;
 - (e) the areas prohibited under the provisions of the Heritage Conservation Rules;
 - (f) at least 50 Meters from any crossing of two or more roads on all sides;
 - (g) at least 100 Meters on both the sides from the entry and the exit of any educational institution;
 - (h) any area which the state government has prohibited from being used as vending space from the angle of security; and
 - (i) any other area which the Local Authority in consultation with the Town Vending Committee considers fit to be included in the category of no vending zone. However, no existing market or a natural market as identified under the survey should be included as a no-vending zone, unless so directed by the state government.
- (ii) Restricted Vending Zone: The restricted vending zones are mainly linked up with the road width, and the roads of the following description should be put in this category in the plan:
 - (a) there shall not be any stationary street vending on road having width up to 4.5 meters. But street vending can be allowed in such roads if it is declared as non vehicular road, by competent authority.
 - (b) there shall not be any stationary vending on road having width between 4.5 meters to 9 meters. However, street vending can be allowed in such roads if such road is declared as one way vehicular road, by competent authority.

- (c) there shall be only one side stationary vending on road having width between 9 meters to 15 meters, while both side stationary vending can be allowed on road having road width of above 15 meters;
- (d) the number of street vendors shall be decided by considering holding capacity of each designated vending area on such road;
- (e) such stationary vending may be allowed after taking the clearance from the traffic police regarding the smooth vehicular and pedestrian movement. If required, road side parking shall be banned in such area where street vending is allowed; and
- (f) mobile vending may be allowed on such road based on the volume of traffic and pedestrian movement.

(iii) Remaining road stretches may be put under the category of restriction free vending zone. Over and above the road stretches, open plots owned by the Local Authority may designated as restriction free vending zones.

22. Carrying Capacity of the areas inside the City.- (1) The principles to decide the carrying capacity of any road where street vending is allowed is finalized by dividing the net available road stretch where the street vendors can be positioned by the space occupancy norm decided by the Town Vending Committee based on the following minimum norms.

(2) The space requirement for street vending has to be worked out in the following manner namely:-

- (a) a minimum of 10 Square feet area as '**Vending Area**' shall be provided to each vendor or hawker where vendor can keep their push cart, goods, materials etc and also stand or sit along with it for business;
- (b) a minimum passage of 4 feet width in front of stalls or push carts shall be reserved as 'Extension' for consumers or users to stand or buy the goods;
- (c) a minimum walkway or footpath of 4 feet width shall be provided for pedestrians in front of extension space depending on the width of the road, and ensuring the walk way is a continuous stretch and not interrupted by any vending extension.
- (d) a minimum area of 9 Square feet between two vending areas for solid waste management or garbage disposal and common facilities (Ex: light pole or water hydrant etc) may be provided. No vending area boundary should be within 2 feet of a public utility like Light Pole, Telephone pole, Transformer, Cell Phone Tower, Water Hydrant, Water Tap, UGD vent, Water Pipeline Vent, Manhole or Post Box etc
- (e) the carriageway of the road should not be included in the vending space

(3) The following criteria evolved by the Town Vending Committee shall be used for positioning the street vendors on open plots, namely:-

- (a) a minimum of 25 Square Feet area as 'vending area' shall be provided to each vendor or hawker where vendor can keep their push cart, goods, materials etc and also stand or sit along with it for business;
- (b) a minimum passage of 5 feet width in front of stalls or push carts shall be reserved as 'extension' for consumers or users to stand or buy the goods;
- (c) a minimum walkway of 5 feet width should be provided for pedestrians movement in between two lanes of vendors in the plot; and
- (d) a minimum area of 9 Square Feet between two vending areas for solid waste management or garbage disposal and common facilities (eg light pole or water hydrant etc). No vending area boundary should be within 2 feet of a public utility like Light Pole, Telephone pole, Transformer, Cell Phone Tower, Water Hydrant, Water Tap, UGD vent, Water Pipeline Vent, Manhole or Post Box etc.

23. Net Space Availability for Organizing Street Vendors Activity.- The net space availability for the street vending area in the road stretches shall be worked out after deducting the no vending areas from the stretch. On the basis of the above criteria the carrying capacity of each road stretch in each ward of the Local Authority shall be worked out. Similarly the additional area available from the open plots of the Local Authority adjacent to the roads and carrying capacity of these plots should be calculated. After adding the net space availability of road stretches and plots, net area available for the local Authority shall be worked out Ward wise and in total. This area divided by the space occupancy norm would give ward wise figure of the carrying capacity.

24. Provision for Street Vending for the areas proximate to Neighborhood Market.- Seasonal or festive vending is normally confined to the sale of certain seasonal produce like fruits, fireworks, cloth, readymade clothes, decorative elements etc. It is necessary to ear mark areas where such items can be stored in bulk and sold from the same site. The Town Vending Committee shall determine special vending zones, for a fixed period, during festival, considering the local as well as general importance or relevance of the festival.

25. Categories of Vending Zones.- (1) The Vending Zones shall be categorized ward wise as A, B, C, D and E on the basis of the following criteria, namely:-

Categories	Ward No	Area Name	Average Guidance Value of Last 10 Years	Weekly Footfalls				Special Considerations								Total Prints
				6 am to 12 noon	12 noon to 6 pm	6 pm to 12 midnight	Total	Other eg No of Malls / Cinema Theatre / Colleges (Specify)	Residential Area (House Tax Collections)	Parks (Area of Park)	Commercial Area (No of Shops & Establishments)	Natural Market / Historical Place / Tourist Place	Places of Public Worship	Hospital (No of Beds)	Bus Stand (No of Passenger Buses Daily)	Railway Station (No of Daily Passenger Trains Stopping)
Category A			Highest Average Guidance Value gets 5 points and progressively less points upto minimum of 1 based on decreasing Average Guidance Value Highest Weekly Footfall gets 5 points and progressively less points upto minimum of 1 based on decreasing Weekly Footfalls					Highest Number Footfall gets 5 points and progressively less to 0 Highest House Tax Collection gets 5 points and progressively less to 1 Highest Park Area gets 5 points and progressively less to 0 Highest Number gets 5 points and progressively less to 0 Highest Number gets 5 points and progressively less to 0 Highest Number gets 5 points and progressively less to 0 Highest beds gets 5 points and progressively less to 0 Highest Number of Buses gets 5 points and progressively less to 0 Highest Number of Trains gets 5 points and progressively less to 0								55
Category B		40														
Category C		30														
Category D		20														
Category E		10														

- (i) Average Guidance Value shall be calculated based on guidance value determined by Government under Section 45 of the Karnataka Stamp Act 1957 (Karnataka Act 34 of 1957);
- (ii) Weekly Footfall shall be calculated by head count survey for one week including holidays;
- (iii) Existence of Malls, Cinemas, Colleges etc to be calculated from Property Register of ULB. If there are no such public facilities, 0 to be marked;
- (iv) Residential Area to be ranked on basis of highest House Tax collections from 5 to 1 marks;
- (v) Parks to be identified and the total area of all parks in an area to be considered for ranking from 5 to 1. If there are no parks, 0 marks to be given;

- (v) Number of Natural Markets or Heritage Markets or Traditional Markets or Night Bazaars or Places of Historical Interest or Tourist Interest to be enumerated and ranked from 5 to 1 based on total number of such public facilities;
- (vi) Important places of public worship to be enumerated and marked 5 to 1 based on numbers. If there are no important places of public worship, 0 marks to be given;
- (vii) Hospitals with beds to be enumerated and number of beds calculated for the entire area and ranked from 5 to 1 marks. If there are no hospitals with beds, 0 marks to be given;
- (viii) Bus Stands with number of buses operating in a day to be totaled in every area and ranked from 5 to 1. If no bus - stands are there, 0 marks to be given; and
- (ix) Railway Stations with total number of passenger trains stopping in a week to be calculated and marked as below:
 - (a) More than 70 - 5 marks
 - (b) 35 to 70 - 4 Marks
 - (c) 15 to 34 - 3 Marks
 - (d) 7 to 14 - 2 Marks
 - (e) Less than 7 - 1 Marks
 - (f) No Railway Station - 0 Marks

(2) Any person aggrieved by the designation of the vending zones in an area shall be entitled to make a representation to the Town Vending Committee concerned the Committee shall consider the same and dispose within a period of 15 days from the date on which the representation is received or in the next meeting of the Town Vending Committee, whichever is earlier.

(3) The identification of Vending Zones and Restricted Vending Zones and Categories shall be periodically reviewed by the Town Vending Committee at least once in three years in the same manner specified in sub-clause (2), particularly with reference to the growth or otherwise of the traffic and other developments in the area including Guidance Value, Footfalls etc.

26. Manner of carrying vending activities on time-sharing basis.- (1) The Town Vending Committee shall determine vending activities on time sharing basis depending on the market needs.

(2) Town vendors shall not be discriminated while allotting time sharing vending activities.

(3) The Town Vending Committee concerned shall, when it is necessary and expedient in order to accommodate more number of vendors or in case the nature of businesses is such that the vendors carry on their vending only during certain time of the day or certain days of the year or month or week, form Time Restricted Vending Zones, where the vendors shall be issued the Certificates of Vending specifically stating the hours or days or such other periods of business. The said restrictions shall form part of the basic conditions of the Certificate of Vending.

(4) The Town Vending Committee shall recommend the vending zones that may be notified for time-sharing basis vending depending on the high demand for a particular zone.

(5) The weekly bazaars or week-end markets shall be run on a first-come-first-serve basis depending on the number of vending sites that can be accommodated in the designated area and the number of vendors seeking vending places.

(6) In places like parking lots in areas such as central business areas, vendors' markets can be organized after the closing of the regular markets. Such markets can be run from time so fixed by the concerned Town Vending Committee on a roster basis or a first-cum first-serve basis, with suitable restrictions determined by the Government and Local Authority.

27. The principles for determination of vending zones.- (1) Places that are natural markets shall be first considered and allowed as vending zones, subject to conditions and restrictions that may be imposed by the Local Authorities, with ratification of the Town Vending Committee and the traffic police or local police owing to issues of traffic congestion or law and order problems.

(2) Venues that have been traditional Weekly Bazaars shall also be considered and allowed for street vending on particular weekday(s) and timings, and subject to conditions and restrictions that may be imposed by the Local Authorities, with ratification of the Town Vending Committee.

(a) any Registered Association of street vendors may submit a proposal for declaration of any street or land as vending zone or a weekly market. Local Authority may, on its own initiative, prepare such proposal as well. The proposal should consist of sitemap of the area with proper dimensions, clearly demarcating the area for vending; plan for squatting in the area; number of vendors it may accommodate; suggested restrictions (if any); and proposed timesharing arrangements to maximize the number of beneficiaries;

(b) the Proposal shall be submitted to the Town Vending Committee;

- (c) the Town Vending Committee shall cause to conduct survey of the area and GPS demarcation of the area proposed for vending. The Town Vending Committee shall also examine prima-facie feasibility of the proposal in consultation with the Local Authorities and Police Authorities.
- (d) the Town Vending Committee shall thereafter notify the proposal for claims and objections by any stakeholders.
- (e) after considering the claims and objections received, the Town Vending Committee shall prepare a report or proposal, and after ratification of the same Local Authority may notify the area as vending zone.
- (f) regarding vending on footpath, respective the Town Vending Committee shall decide as per the Rules and the Scheme.
- (g) the Local Authority shall notify the area or street as vending zone after ratification by the Town Vending Committee.

28. The conditions under which private places may be designated as restriction free-vending, restricted-vending zones and no-vending zones.(1) Generally Urban Local Authorities is not having any right over the private places. But the Town Vending Committee can demarcate such private places as restricted-free vending Zone, restricted Vending Zones and No-vending Zone with the consent of owner of the place. The Town Vending Committees can enter into an agreement, if required, with private land owners for such purpose. Such agreements if any must have prior approval of the Government.

(2) As the street vendors are to be relocated under this Scheme and the Act, the private places within the jurisdiction of a Town Vending Committee shall not be used as a vending zone unless a specific permission is granted by the concerned Town Vending Committee for that purpose, and approved by the Government.

(3) The Town Vending Committee shall permit private places as vending zones subject to the satisfaction that such zones are absolutely necessary. While doing so, the primary factor shall be the welfare of the street vendors of that area. No private vending zone shall be allowed if it affects economic interests of vendors of that area. On the other hand, private vending areas may be allowed in order to accommodate the street vendors who need to be removed or relocated from the public places, when no other alternative is available. Permission for such private vending zones shall be given only if the number of vendors in such private vending zones together with the street vendors in that area shall not exceed two and half percent (2.5%) of the population of that vending zone, area or location. The density of vendors, sanitation, proportions of different businesses and infrastructural facilities of such places shall be regulated as per the Rules and the Scheme.

(4) Private places may be designated as restriction free or restricted or no-vending zone in accordance with no objection certificate of land or property owner or Resident Welfare Associations or Market Associations as the case may be and on recommendations of the Town Vending Committee subject to no objections certificate from the Local Authority and local police and after approval of government.

(5) Safety, security, traffic conditions, absence of alternative public space and demand from Resident Welfare Associations or Market Associations would be the basis of vending at private places.

29. The Additional terms and conditions for street vending including norms to be observed for up keeping public health and hygiene.-

(1) Every street vendor shall be responsible for the cleanliness of the immediate surroundings of the area allocated to the vendors in a vending zone.

(2) Every street vendor shall collect and process the waste generated by his business as instructed by the local Authority.

(3) Every street vendor shall remit the maintenance charges for Solid Waste Management to the local authority concerned as and when the same is levied by the Local Authority.

(4) If the local Authority is arranging systems for collection and disposal of waste then the street vendor is liable to compensate the cost of the same.

(5) The State Government or Municipal Authorities may take special steps to cover street vendors and their families with benefits of programs such as preventive and curative health care including reproductive and child health care facilities and health insurance.

(6) Every street vendor shall keep all his wares confined to this space. No projections, extensions shall be protruding from the space of vending.

(7) No Vendor shall install any fixed structure (temporary or permanent) at his place of vending. He or she may only put movable items (such as umbrella, tarpal, cartons etc) which can be removed immediately.

(8) The vendor may not sell obnoxious, hazardous and polluting items.

(9) The street vendor may not cause any damage to the public property. The street vendor shall repair immediately, at his/her cost, the damages that may have been (if any) caused to the public property as a result of negligence during the vending. The Street vendor shall not draw electricity unauthorisedly from any public electrical distribution facility.

(10) The vendor shall abide by the timing specified by the local authority.

- (11) Street Vendors preparing food articles must use duly authorized commercial LPG Cylinder only.
- (12) Street vendor selling food articles shall obtain safety certificate from the concerned authority and display the same.
- (13) The Vendor shall follow the provisions of the local laws and Court directions.

CHAPTER VII

Miscellaneous

30. Designation of State Nodal Officer.- (1) The Mission Director of State Urban Livelihoods Mission shall be the State Nodal Officer. He / she shall be responsible for overall implementation of the Street Vending Scheme in the State.

(2) At the Urban Local Authority or city or town level, the responsibility for implementation shall rest with the Urban Local Authority and the Town Vending Committee with assistance and Monitoring by the National Urban Livelihoods Mission staff of the concerned Urban Local Authority.

(3) The implementation would also require coordination between several authorities including the Director of Municipal Administration, Director of Town and Country Planning, Deputy Commissioner of Districts and Officials of Department of Skill Development, Entrepreneurship and Livelihood. This Coordination shall to be ensured by the State Government by constituting a State Level Review Committee under the Chairmanship of the Principal Secretary or Secretary Skill Development, Entrepreneurship and Livelihoods Department.

(4) The Planning Authority in the Urban Local Authority may provide in consultation with the Town Vending Committee, spatial norms for demarcation of vending, appropriation of spaces for vending in Master Plans or Developmental plans or Zonal plans and Local area plans. Measure shall be taken by the Authorities as to build capacities of state level, regional level and Urban Local Authority level planning staff to ensure implementation of the norms.

(5) The State Nodal Officer shall have first hand information of the data collected from the periodical reports from his or her Mission Officials, Urban Local Authorities and Planning Authority and shall use suitable IT applications for data management.

31. Policy for existing street vendors, allotted sites or spaces under old scheme.- (1) A person, whether or not included under the survey, who has been issued a certificate of vending by Local Authority before the commencement of the Act, whether known as licensee or have any other form of permission from a public authority (whether as a stationary vendor or a mobile vendor or under any other category) shall be deemed to be a street vendor for that category for the period for which he has been issued such certificate of vending. Further validity period of certificate of vending shall commence from the date this scheme is notified and vending fee shall be charged accordingly.

(2) All such persons who have been allotted permission of vending under any old scheme shall be treated as per the provision of this scheme. Any person who is ineligible as per this scheme, shall have to be evicted from the site or space immediately by the Local Authority.

(3) Any previous allottee of a site or location on Public Street or public space who has constructed or affixed any fixed structure or stand shall be removed or dismantled by the vendor and the site cleared completely, free of any obstructions and he or she shall vend in conformity with the provision of scheme.

(4) Sites vacated or cleared due to ineligibility of occupiers may be considered by the local authority for allocation to other eligible wait listed registered persons or declaration of vending zone on timesharing basis without any exclusive right of any particular vendor on the site, so that all street vendors may get equality of opportunity.

32. Imposition of fine.- (1) If a street vendor is found violating terms of vending, the authority that may be notified by the Local Authority shall impose prescribed fine, and in case of repeat violations, the Authority may proceed for cancellation of allotment proceedings.

(2) The authority imposing fine shall conduct summary inquiry of violation of the terms and provide the vendor, an opportunity of being heard, before passing appropriate orders.

33. Infrastructure Improvement.- (1) Financial support from National Urban Livelihoods Mission and other schemes of the State Government may be provided to the Urban Local Authorities for improvement of infrastructure and provision of basic services in the Vending Zones. The Urban Local Authorities in consultation with the Town Vending Committee shall prepare a Detailed Implementation Plan for such infrastructure improvement projects which may include improved civic facilities such as paving, water supply, toilets, waste disposal facility, lighting, common storage space, and specialized carts for specific types of trades, temporary sheds and/or parking facilities.

(2) The Detailed Implementation Plan for infrastructure improvement must be prepared only after the street vendor survey for the area where the project is located, has been completed. In exceptional cases where the survey is not initiated and the Urban Local Authority feels that there is an immediate need for a project, which shall benefit a large number of street vendors, then the survey for that area along with its cost may be included in the Detailed Implementation Plan. The Urban Local Authority must ensure that prior to

commencing work on the project, the street vendors who shall benefit, have been issued the Identity Card or smart card as well as the Certificate of Vending as per the prevailing Rules, Act or guidelines of the Government. The list of beneficiaries of the project shall be placed in the public domain and displayed on the notice board of the Urban Local Authority and posted on the website of the Urban Local Authority or State before taking up the project. However, in such cases it shall be entirely the responsibility of the Urban Local Authority to ensure the project and plan are in conformity with the Rules and Scheme and any deviation shall have to be corrected by the Urban Local Authority concerned in a time bound manner. The costs of such a project shall be entirely borne by the Urban Local Authority concerned.

(3) While preparing the Detailed Implementation Plan, provision for providing specialized carts to the street vendors for specific types of trades such as food vending etc. may be included with a view to improve the hygiene and optimal utilization of space. These carts may be funded through individual loans covered under the Self Employment Programme (SEP) component of National Urban Livelihoods Mission or any other scheme of the State Government.

(4) Detailed Implementation Plans should contain:-

- (i) Project Rationale, details of beneficiaries and stakeholders, how it shall contribute to improved street vending in the surrounding area, and how it fits within the overall notified Street Vending Plan;
- (ii) Land Ownership Details;
- (iii) Relocation Plan, if any must be supported by a letter of consent from the affected street vendors and/or their association and the Town Vending Committee;
- (iv) Specific Infrastructure Improvement Project details with costs, including operations and maintenance plan;
- (v) Detailed and complete list of beneficiaries who shall benefit from the project - in case the survey is not complete and shall be conducted as part of the Detailed Implementation Plans, the list of beneficiaries shall have to be provided upon completion of the survey and prior to commencement of infrastructure improvement;
- (vi) Safety Concerns, if any, relating to fire hazard or other hazards; and
- (vii) Waste Disposal Cycle and Plan

(5) The Urban Local Authority may develop special Detailed Implementation Plans for creation of "food streets", "farmers markets", "night market" and other such specialized or theme based markets subject to the provisions stipulated above. In markets where food shall be prepared in the market, the Urban Local Authority should take into account issues of food safety, waste disposal and fire hazard in addition to other elements of infrastructure improvement that shall be required. For preparation of Detailed Implementation Plans, the Urban Local Authority may hire consultants using a transparent selection process. Detailed Implementation Plans must be submitted to the Sanctioning Committee of State Urban Livelihood Mission for approval.

Chapter VIII

Social Audit

34. Social Audit.- (1) After each survey of street vendors, the concerned Town Vending Committee, shall ensure conduct of a social audit of its functions, as early as possible, with emphasis on the transaction of its business with regard to the street vendors in its territory, the various categories of businesses being carried by them, the change in the vending profile of any particular area, the financial health of the street vendors, changes of demand for goods or services from such street vendors, requirement for relocation of street vendors, need for issue of additional Certificates of Vending or for reducing the number of such Certificates due to physical constraints of space, economic viability of continuing the street vendors in their location, need for re-structuring the functioning of the Committee and its procedures, etc. This social audit shall be published and be made available at cost to any person who requires the same. A copy of the said audit shall be submitted to the Urban Local Authority. The Town Vending Committee has to conduct Social Audit by appointing a Professional Chartered Accountant or Institute working on community development and well versed in Social Audit. The audit is to be conducted in the vending areas in association with street vendors. During the process, the audit team has to verify the manner and way of survey conducted, collection and utilization of Registration and other fees, grievances in issuing identity card and vending certificate, efforts taken for maintaining health and hygiene practices in the Vending Areas, disposal of solid wastes generated in the market, and any such other matter related to the welfare of the street vendors. The Social Audit shall be with the prime objective of protecting the genuine interests of the Street Vendors. This Audit shall be done once every year. Rectification measures are to be undertaken as per the audit findings and after discussing the same in the Town Vending Committee meetings. The Social Audit Report shall be submitted to the Government through the concerned Urban Local Authority and any suggestions or directions of the Government shall be implemented by the Urban Local Authority and the Town Vending Committee in a time bound manner.

(2) Besides Social Audit, the manner and utilization of the amount collected is fees shall be subjected to periodical audit and special audit as and when required shall be conducted by the Government through the Mission Director, National Urban Livelihood Mission so as to ensure transparency and accountability.

(3) The form and the manner for carrying out Social Audit of the activities of the Town Vending Committee shall be as under, namely:-

(a) The Government shall constitute an Independent Social Audit Unit for the purpose of carrying out social audit. The social audit unit shall comprise of two government officers (one each from Department Of Skill Development, Entrepreneurship And Livelihood and Department of Urban Development) two eminent citizens (appointed every three years by Government), two representatives of street vendor associations (appointed every three years by Government) two members of Market Associations (appointed every three years by Government) and other professionals and resource persons not exceeding six who have experience in accounts, planning or legal profession and are appointed on consultancy basis every three years through a transparent process to execute the social audit. The Independent Social Audit Unit (ISAU) shall be allotted an annual budget to carry out social audit functions through outsourced staff and professional agencies.

(b) The social audit shall be carried out at least once a year. The schedule shall be decided by the Government and the Audit Report shall be presented to the Government.

(c) The Town Vending Committee shall provide details of relevant information in formats to be determined by the Independent Social Audit Unit and approved by Government, at least a month before the process of social audit commences. The information to be provided shall be inclusive of and comprise of the following:-

- (i) Vendor Survey and Registration and Issue of Certificate of Vending and Temporary Certificate of Vending;
- (ii) Plan and Scheme for Street Vendors and execution;
- (iii) Street Vendors' Charter;
- (iv) Status of implementation of the Act , Rules and Scheme;
- (v) Returns furnished to Govt. and Local Authority;
- (vi) Record of resolution and minutes of the meeting conducted by the Town Vending Committee during the audit period;
- (vii) Record of appeals made before the local authority and their disposal;
- (viii) Record of all grievances or disputes brought before the Grievance Redressal Committee and their disposal;
- (ix) Record of the total number and details of relocations and evictions and confiscation of goods in that audit period.
- (x) List of restriction free or restricted or no vending or time sharing basis zones. Vending zones and markets added during the audit period;
- (xi) Details of fees and penalties collected and remitted during audit period.
- (xii) Expenditure on welfare programs, capacity building programs, vendor business enhancement programs carried out by the Town Vending Committee and Local Authority and the social and economic impact of the same;
- (xiii) Previous social audit reports, if any; and
- (xiv) Any other relevant information Government may feel necessary for the better implementation of the Act and Rules and this Scheme.

(d) The Independent Social Audit Unit representatives shall conduct spot inspection of randomly selected samples, conduct meetings and focused group discussions with street vendors, the Town Vending Committee officials and Urban Local Authority Officials on various aspects of the implementation of the Act, Plan and the Scheme. The Independent Social Audit Unit representatives shall examine all relevant documents record in writing grievances of street vendors on any issue faced by them with respect to the Act, Rules and Scheme. At the culmination of the social audit process, the Independent Social Audit Unit representatives shall record its findings in writing.

(e) The Independent Social Audit Unit representatives may also hold a public meeting wherein the Town Vending Committee members and representatives of the Local Authority shall be present and representatives of street vendors may also participate. The Independent Social Audit Unit shall explain its responsibilities and findings at the meeting.

(f) The Local Authority shall give adequate notice of the social audit public meeting by way of a public notice.

(g) The cost of conducting social audit shall be allocated by the Local Authority in its annual budget. However in the interest of autonomy, the administrative expenditure of Independent Social Audit Unit shall be borne by the Government.

By order and in the name of the Governor of Karnataka

Siddiq Pasha

Deputy Secretary to Government

Skill Development, Entrepreneurship and Livelihood Department

Communication									
Rent	Average Daily Profit	Average Weekly Profit	Average Monthly Profit	Average Annual Profit					
Net Income / Profit									
Experience	Product / Service / Skill	No Of Years	Average Annual Income	Average Annual Expenditure	Average Annual Profit				
Previous Employment									
Previous Vending									
Liabilities	Amount	Principal Repayment Per Month	Interest Per Month	Source of Loan / Credit	Security	Surety			
Personal Loan Outstanding									
Business Loan Outstanding									
Trade Credit Outstanding									
Other Loan Outstanding									
Assets	Description	Age	If Leased, Rental value	If Owned, Acquisition value	If Owned, Current value				
Property									
House									
Land									
Business Infrastructure									
Business Tools & Equipment									
Business Profile SWOT Questionnaire									
A. Networking	Face To face	Association	Social Media	Through Wholesalers					
1. How do you Network with other vendors?									
B. Market Strategy	Single Specialized Product / Skill / Service	Multiple Products & Services / Skills	Cheap Convenient Products						
1. How do you sell your product?									
2. How effective is the method?									
C. Pricing Strategy	Cost Based Pricing	Competition Based Pricing	Demand Elasticity Based Pricing	Other Considerations					
1. How do you price your product / service?									
2. What is the rate of the product / service you sell in the market?									
C. Marketing Communication Strategies	Word of Mouth Communication	Personal Selling	Point of Sale Display	Social Media	Price Discounts	Free Product Promotion			

1. How do you communicate your product in the market?									
2. How effective is the technique?									
3. How do you convince a buyer to buy your product / service?									
D. Exit and Return into Business									
1. Do you exit from the vending business occasionally?									
2. If so why and for what periods									
E. Changing of Goods and Services									
1. Do you change goods and services for Special occasions like festivals?									
2. Is it effective in improving your business?									
F. Flexible Operating or Working Hours									
1. Do you have flexible operating Hours									
2. If so what are your operating hours and why?									
G. Trade Credit	Trade Credit	Advances	Hand Loans	Bank Loans	Other (Specify)				
1. Which method of Credit do yo use regularly?									
2. Mention the Source?									
3. Mention the Amount?									
4. Which method is convenient?									
H. Locational Advantage									
1. On what basis do you select your vending location?									
2. Do you have any locational advantage in the current location?									
3. Do you know of any better location?									
K. Digital Payments	Net Banking	ATM Card	Cheques	Cash					
1. To what extent do you use the following payment methods?									

Signatures	Vendor		Surveyor		Supervisor	
<p>Confirmation Slip</p> <p>THE TOWN VENDING COMMITTEE:.....</p> <p>Form No:.....</p> <p>Name of Street Vendor Surveyed:.....</p> <p>Address:.....</p> <p>Location of Vending Business:.....</p> <p>Category of Vendor:.....</p> <p>Registration Fee Paid:.....</p> <p>Signature: _____ Signature of Surveyor: _____</p>						

Note:

Columns marked with * need only be filled for Temporary COV.

Self Declaration Certificate from Street Vendors

(Undertaking by the Applicant)

I Sri/Smt.....S/o, C/o Aged..... in this address.....years residing, Ward NoZone....., Area/City..... years..... doing street vending activities. Hence I am herewith giving self declaration to obtain vending business certificate and ID card from authorized as per the terms and conditions mentioned as follows:

1. I myself or through my family members name of who are under 14 years of age am doing street vending business activity or through my family members to get Vending Certificate and Identity Card.
2. I/He/She am not having any resources for my livelihood.
3. I /He/She shall do street vending business activities in the stipulated area mentioned in the Vending business certificate and Smart Identity Card by town vending committee. In this stipulated are shall not erect any permanent structure or shop and for rent, site lease or shall not transfer/giving for any other purpose.
4. I /He/She shall collect Smart Identity Card and Vending Business certificate before starting the vending activity.
5. I shall do vending activities without disturbing pedestrians and traffic and always comply with rules regarding sound pollution, solid waste management and environment protection.
6. I /He/She shall follow the instructions by Town Vending Committee from time to time with regard to vending activities.
7. I /He/She shall display the Vending Business Certificate and Smart Identity Card in the place of vending activities.
8. I /He/She not having any ownership/rights/title and interest in the stipulated area of vending activities.
9. I /He/She shall pay the fees fixed from time to time by the Urban Local Authorities within time and shall pay any penalty levied incase of delay as default.
10. If I expire or suffer from any permanent disability any temporarily disabled one of my family member in the following order of priority like my wife/ husband and dependent children shall do vending activities and shall accept all decisions of Town Vending Committee under Sec-20.
11. I /He/She shall receive the Vending Business certificate and Identity Card as per the Street vendor (Protection of Livelihood and Regulation of Street Vending) Act 2014 and terms and Conditions / Rules fixed by the Government from time to time.
12. I /He/She shall follow the instructions / rules are fixed by the Town Vending Committee.
13. I/He/She shall comply with all laws and rules related to child labour traffic, use of public facilities like electricity and water, use of plastics, solid waste management and disposal and all bye-laws of the Local Authorities.

I myself put signature/thumb impression as I understood or reading as mentioned in the above points

Signature of Street Vendors or
thumb impression/-

Form II

{(see para 4 (3), 5(2)(a) and 7(1))}

Certificate of Vending Business

1	Certificate No*		
2	Category of Vending Business *	Mobile: <input type="checkbox"/>	Stationary: <input type="checkbox"/>
3	Vending zone details* (Address)		
4	Vending activity details*		
5	Days of Vending Business*	Mon, <input type="checkbox"/> Tue, <input type="checkbox"/> Wed, <input type="checkbox"/> Thu, <input type="checkbox"/> Fri, <input type="checkbox"/> Sat, <input type="checkbox"/> Sun, <input type="checkbox"/>	
6	Timings of Vending Business*	5 am – 9am	9 am - 12 noon
		12 pm - 6 pm	6 pm -11 pm
7	Validity of Vending Business certificate: Conditions* (under section-5 and Restriction (under section 12- 17):		
8	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> QR Code </div>	Name Aadhaar No. Area name: Validity reviewed: Town vending Committee (Under section-4) Latitude and Longitude: GPS Reading of Business Location	
Name: *		S/o, W/o, D/o	
Current Address*		<div style="border: 1px solid black; padding: 10px; width: 150px; margin: 0 auto;"> Family photo </div>	
Date of Birth / Age*		Family members details:	
Gender*		1)	
Vending trade:		2)	
Blood group:		3)	
Aadhaar No*		4)	
Contact No*			
Ration card No.			

Note:

- 1) Validity of certificate shall be from issuing date to _____ date.
- 2) This certificate is applicable above cited all the members who have above 14 years.
- 3) This certificate is issued based on request.
- 4) If certificate is lost need to bring kindly notice of Commissioner / Municipal Commissioner / Chief Officer.
- 5) This certificate is subject the Rules of Street Vendors Act, 2014.
- 6) This Certificate is issued based on the conditions under section-5 and Restrictions under section 12-17 of Street Vendors Act, 2014.
- 7) This certificate is temporary, not having any permanent rights.
- 8) The columns marked (*) only need be filled for temporary COV.

Sd/-
Chair person
Town Vending Committee

Form III

{{(See para 5(2)(b))}}

Name of the Urban Local Authority _____

Proforma for Identity Card

Street Vendors Identity Card																							
	Registration No. _____																						
Date of issue _____																							
Valid date _____																							
Vending Certificate No:	<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>																						
<div style="border: 1px solid black; width: 150px; height: 100px; margin: 0 auto;"></div> <p>Photograph of Street Vendors</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Name of the Street Vendor</td> <td></td> </tr> <tr> <td>Name of the Father/Mother / Husband / Wife</td> <td></td> </tr> <tr> <td>Age</td> <td></td> </tr> <tr> <td>Gender</td> <td></td> </tr> <tr> <td>Residential Address</td> <td></td> </tr> <tr> <td>Types of Vending Business</td> <td> Product <input type="checkbox"/> Service <input type="checkbox"/> Mobile <input type="checkbox"/> Station <input type="checkbox"/> </td> </tr> <tr> <td>Details of Vending Business</td> <td></td> </tr> <tr> <td>Place of Vending</td> <td></td> </tr> <tr> <td>GPS Code, Geo Fence of Activity</td> <td></td> </tr> <tr> <td>Telephone No.</td> <td></td> </tr> <tr> <td>Aadhar No.</td> <td></td> </tr> </table>	Name of the Street Vendor		Name of the Father/Mother / Husband / Wife		Age		Gender		Residential Address		Types of Vending Business	Product <input type="checkbox"/> Service <input type="checkbox"/> Mobile <input type="checkbox"/> Station <input type="checkbox"/>	Details of Vending Business		Place of Vending		GPS Code, Geo Fence of Activity		Telephone No.		Aadhar No.	
Name of the Street Vendor																							
Name of the Father/Mother / Husband / Wife																							
Age																							
Gender																							
Residential Address																							
Types of Vending Business	Product <input type="checkbox"/> Service <input type="checkbox"/> Mobile <input type="checkbox"/> Station <input type="checkbox"/>																						
Details of Vending Business																							
Place of Vending																							
GPS Code, Geo Fence of Activity																							
Telephone No.																							
Aadhar No.																							

Details of family members above 14 years					
Sl. No	Name	Gender	Relationship	Date of Birth	Age
1					
2					
3					
4					

Conditions:

- 1) This ID Card shall valid from issued dateto date.....
- 2) This ID card issued as per the request.
- 3) This ID card shall applicable to all the members of above 14 years.
- 4) Immediately notice to concerned Commissioner / Municipal Commission / Chief Officer, in case of loss the ID Card.
- 5) This ID card issued as per the Street Vendor Act 2014.
- 6) This ID card is temporary and not having permanent entitles rights.

Sign/-
 President
 Town Vending Committee

Form IV

{see para 16(6)(f)}

CONCERNED LOCAL AUTHORITY

MEMO No Dated

Seizure Memo of the goods seized from unauthorized vendors/vending sites Following goods/articles were seized from the unauthorized vendor name Shri S/o/W/o..... R/o.....having contact no.....from the site on dated at time on account of found vending unauthorized/vending in violation of terms and conditions of the Certificate of Vending (COV).

(a) Description of goods and quantity

- (i)
(ii)
(iii)
(iv)
(v)
(vi)

(b) The vendor is informed that he/she may claim the goods/articles seized after the payment of penalty on account of removal charges and payment of storage charges from the Store/Godown site located at between the hours of on working day by making an application within 24 hours for perishable goods and 3 days- for non perishable goods after which can dispose/auction the goods seized without any compensation or notice to the vendor.

(c) The goods can be reclaimed within one day after filing of application in case of perishable goods and within 15 days of application for non-perishable goods beyond which shall be within its right to dispose of the goods in the manner deemed fit without entertaining any claim whatsoever.

Signature of the Inspector

Name of the Inspector

Signature of the Vendor

Name of the Vendor

Name of the witness-.....

Signature of the witness

Designation of the witness

Place

Date

PR-344
SC-1000

By Order and in the name of the Governor of Karnataka
Siddiq Pasha
Deputy Secretary to Government
Skill Development, Entrepreneurship and Livelihood Department

**WOMEN AND CHILD DEVELOPMENT AND EMPOWERMENT OF DIFFERENTLY ABLED
AND SENIOR CITIZENS SECRETARIAT
NOTIFICATION**

NO. WCD 209 PHP 2017 (Part-2), BENGALURU, DATED: 30.08.2019

Whereas the draft of the Karnataka State Rights of Persons with Disabilities Rules, 2019 was published as required by section 101 of the Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016) in Notification No.WCD209 PHP 2017 (Part-2), Dated: 20.02.2019 in Part - IVA No.129 of the Karnataka Gazette extraordinary dated: 20th February 2019 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of its publication in the Official Gazette.

Whereas the said Gazette was made available to the public on 20.02.2019.

And whereas, the objections and suggestions received in respect of the said draft within the period specified above have been considered by the State Government;

Now, therefore, in exercise of the powers conferred by section 101 of the Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016), the Government of Karnataka hereby makes the following rules, namely:-

RULES

CHAPTER I

PRELIMINARY

1. Title and commencement.- (1) These rules may be called the Karnataka State Rights of Persons with Disabilities Rules, 2019.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,-

- (a) "Act" means the Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016);
- (b) "Advisory Board" means the Karnataka State Advisory Board on disability constituted by the State Government by notification under section 66 of the Act;
- (c) "Certificate of disability" means a certificate of disability issued by a certifying authority under section 58 of the Act;
- (d) "Certificate of registration" means a certificate of registration of institution for persons with disability issued by the competent authority under section 50 of the Act;
- (e) "Form" means a form appended to these rules;
- (f) "Government " means the Government of Karnataka; and
- (g) "Section" means section of the Act.

(2) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER II

RIGHTS AND ENTITLEMENTS

3. Steps to be taken by the Government Authorities or private establishment on receiving complaint on the ground of disability.- (1) The head of the establishment shall ensure that the provision of sub-section (3) of section 3 of the Act are not misused to deny any right or benefit to persons with disabilities covered under the Act.

(2) If the head of the Government establishment or a private establishment employing twenty or more persons receives a complaint from an aggrieved person regarding the discrimination on the ground of disability, he shall –

- (a) Initiate action in accordance with the provisions of the Act; or
- (b) Inform the aggrieved person in writing as to how the impugned act or omission is a proportionate means of achieving a legitimate aim.

(3) If the aggrieved person submits a complaint to the Chief Commissioner or the State Commissioner for Persons with Disabilities, or the Deputy Commissioner at the District level, as the case may be, the complaint shall be disposed of within a period of sixty days:

Provided that in exceptional cases, the Chief Commissioner or the State Commissioner or the Deputy Commissioner may dispose of such complaint within thirty days.

(4) No establishment shall compel a person with disability to partly or fully pay the costs incurred for "reasonable accommodation" as defined in the Act.

4. State Committee for Research on Disability:- (1) The State Government shall, by notification in the Official Gazette, constitute a Committee for Research on Disability as under clause (ii) of sub – section (2) of section-6, which shall consist of the following members, namely:-

1	An eminent person having vast experience in the field of science and medical research, nominated by the State Government.	Chairperson
2	The Director, Department of Health and Family Welfare	Member
3	The Director, Department of Medical Education	Member
4	Five persons drawn from the State or Central Institutes each representing one of the five groups of disabilities under the Act i.e., Locomotor, Visual, hearing, Intellectual and Multiple Disabilities to be nominated by the State Government.	Members
5	Five persons as representatives of the registered organizations, from each of the five groups of specified disabilities in the Schedule to the Act, to be nominated by the State Government	Members
6	The Vice Chancellor or his nominee of the Rajiv Gandhi University of Health Sciences, Bengaluru	Ex-officio Member
7	The Vice Chancellor or his nominee, The Bengaluru University, Bengaluru	Ex-officio Member
8	The Director, NIMHANS or his nominee, Bengaluru	Ex officio Member
9	The Principal, Helen-Keller Teacher Training Institution, the Department for Empowerment of Differently Abled and senior citizens	Ex officio Member
10	The Director, Department of Empowerment of Persons with Disabilities and senior citizen in the State Government	Member Secretary
11	Representative of the Social Welfare Department not below the rank of Deputy Secretary	Member
12	The Commissioner of Public Instruction or his nominee who shall be an officer not below the rank of Director of Public Instructions	Member
13.	Representative of the Women and Child Development Department of the rank not below Joint Director	Member

Provided that at least one representative of the registered organizations shall be a woman.

(2) The Chairperson may invite any expert as a special invitee.

(3) The term of office of the nominated members shall be for a period of three years from the date on which they enter upon office, and the nominated member shall be eligible for re-nomination for one more term.

(4) One third of the members shall constitute the quorum of the meeting.

(5) The non-official members and special invitees shall be entitled for travelling allowance and daily allowance as admissible to a Group "A" Officer of the State Government.

(6) The State Government may provide the Committee with such secretarial and other staff as it deems necessary.

(7) The Committee for research shall receive applications regarding permission to subject any person with disability and shall examine the reasons and may grant permission within stipulated timeline in cases which are with free consent attained through accessible modes, means and formats of communication from the persons with disability and where it involves no torture, cruelty or inhuman or degrading treatments.

(8) The committee shall frame guidelines on timeline and research norms subject to approval of the Government.

5. Procedure to be followed by the Executive Magistrate.- For the purpose of dealing with the complaints under section 7 of the Act, the Executive Magistrate shall follow the procedure provided in sections 133 to 143 of the Code of Criminal Procedure, 1973 (2 of 1974).

6. Limited Guardianship.- (1) The designated authority shall grant the support of limited guardianship to a person with disability to take a legally binding decision on his behalf.

(2) The designated authority before granting limited guardianship for a person with disability shall satisfy itself that such person is not in a position to take legally binding decision on his own.

(3) The designated authority shall take a decision preferably within a period of one month from the date of receipt of an application regarding grant of limited guardianship or from the date of coming to its notice of the need of such limited guardianship:

Provided that the consent of the person to act as a limited guardian shall also be obtained before grant of such limited guardianship.

(4) The validity of the limited guardianship as appointed under sub-rule (1) shall be initially for a period of five years which can be further extended by the District Court:

Provided that the designated authority while extending the validity of the limited guardianship shall follow the same procedure as followed while granting the initial guardianship.

(5) While granting the support of such limited guardianship the designated authority shall consider a suitable person to be appointed as a limited guardian from among the following;

- (a) The parents or adult children or spouse of the person with disability
- (b) Immediate brother or sister
- (c) Other Blood relatives or care givers or prominent personality
- (d) The head of institution where the person with disability is under care.

(6) Only those individuals who are over the age of eighteen years and who have not been previously convicted of any cognizable offence as defined in the Code of Criminal Procedure, 1973 (1 of 1974) shall be appointed.

(7) The limited guardian appointed under sub-rule (1) shall consult the person with disability in all matters before taking any legally binding decisions on his behalf.

(8) The appointed limited guardian shall ensure that the legally binding decisions taken on behalf of the person with disability are in the best interest of the person with disability.

(9) The Designated Authority at the district level shall consist of;

- (a) The Deputy Commissioner – Chairperson
- (b) Five persons drawn from the State Institutes each representing each of the five groups of disabilities under the Act i.e., Loco motor, Visual, hearing, Intellectual and Multiple Disabilities to be nominated by the Deputy Commissioner – Members
- (c) District Disability Welfare Officer of the District – Member Secretary

(10) The State Commissioner for Persons with Disabilities shall be the appellate authority for the purpose of sub-section (3) of Section 14 of the Act.

(11) While considering the application for appointment of a limited guardian, the designated authority shall consider,-

- (i) whether the person with disabilities needs a limited guardian;
- (ii) the opinion of the person with disability if such person is in a position to give such opinion;
- (iii) the purposes for which the limited guardianship is required for persons with disabilities;
- (iv) The period for which it is required but not exceeding five years.

(12) While taking a decision for the appointment of limited guardianship, the designated authority shall ensure that the person whose name has been suggested for appointment as limited guardian,-

- (i) is not of unsound mind;
- (ii) does not have a history of criminal conviction;
- (iii) is not dependent on others for his own living; and
- (iv) has not been declared in-insolvent or bankrupt.

Provided that while making appointment of a limited guardian, the designated authority shall provide for the obligations which are to be fulfilled by the limited guardian and it shall be ensured that any decision taken by the limited guardian shall follow a system of joint decision making between the person with disability and the limited guardian based on mutual trust and understanding.

(13) The application for appointment of limited guardian shall be made in Form I.

(14) The confirmation of appointment of limited guardian on such application shall be issued in Form-II.

(15) Every limited guardian appointed under the Act shall furnish a detailed report to the designated authority within two months before the expiry of one year or expiry of the limited guardianship period, whichever is earlier, as to how the obligation vested on him has been or is being fulfilled.

(16) The designated authority, on receipt of an application for removal of a limited guardian from the person with disability or a parent or a relative of a person with disability or a registered organization on the grounds such as failure to fulfill obligations, abuse of powers, abuse or neglecting a person with disability, misappropriation or neglecting the property or any other genuine reasons shall investigate and take final decision in this regard within a period of ten days.

Provided that the designated authority shall have power to suspend the limited guardianship with immediate effect, without notice, pending his removal, if the designated authority is satisfied that grave and irreversible harm will be caused to the persons with disabilities on account of the continuance of the limited guardianship or when the person with disability himself applies for a revocation of the limited guardianship.

(17) The designated authority shall record in writing its reasons for removal of the limited guardian or rejection of the application.

(18) No decision shall be taken by the designated authority under sub rule (16) without giving the limited guardian an opportunity of being heard.

CHAPTER III EDUCATION

7. Terms and conditions before recognition of the educational institution.- (1) The terms and conditions of grant of recognition to the educational institutions by the competent authority in the State may include the requirements to comply with the provisions of section 16 of the Act;

(2) Every institution applying for recognition shall submit a letter of commitment for inclusion of girls/women with disabilities at all levels of recruitment of staff or admission of students;

(3) The scholarships for students at primary to higher education shall be given based on the principles of gender equality to encourage girls/women to access education.

(4) The Department of Primary and Secondary Education and the Department of Empowerment of Differently Abled and Senior Citizens shall ensure the availability of Special Educators/Teachers in adequate number. In every institution Training in Braille, Sign Language and other special needs may be given adequate emphasis.

8. Nodal Officer in the District Education Office.- There shall be a nodal officer in the District Education Office to deal with the matters relating to admission of children with disabilities and the facilities to be provided to them in schools in accordance with the provisions of sections 16 and 31 of the Act.

CHAPTER IV VACANCIES FOR PERSONS WITH BENCHMARK DISABILITIES

9. Computation of vacancy and reservation.- (1) The State Government shall make suitable reservation policy accommodating and providing equal opportunity for Persons with Disability in Group "A" to Group "D" posts.

(2) The reservation for persons with disabilities in accordance with the provisions of the Act shall be horizontal and the vacancies for persons with benchmark disabilities shall be maintained as a separate class.

(3) The posts to be filled by Persons with Disability shall be identified by the Committee of experts headed by the Secretary to Government, Women and Child Development Department and the members as notified by the Government from time to time.

CHAPTER V EMPLOYMENT

10. Manner of publication of equal opportunity policy.- (1) Every establishment shall publish equal opportunity policy for persons with disabilities.

(2) The establishment shall display the equal opportunity policy preferably on their website, failing which, at conspicuous places in their premises.

CHAPTER VI CERTIFICATE OF REGISTRATION OF INSTITUTIONS

11. Competent Authority.- The District Disabilities Welfare Officer shall be the competent authority for the purpose of Chapter IX of the Act.

12. Application and grant of certificate of registration.- (1) A person desirous of establishing or maintaining an institution for persons with disabilities may make an application in Form-III to the District Disabled Welfare Officer referred to in section 51 of the Act.

Every application made under sub-rule (i) shall be accompanied with,-

- (a) Documentary evidence of work in the area of disability;
- (b) The Constitution or bye laws or regulations governing the institution;
- (c) Audited statement and details of grants received in the last three years, preceding the date of application (if available);
- (d) A statement regarding total number of persons employed in the Institution along with their respective duties;
- (e) The number of professionals employed in the Institution;
- (f) A statement regarding qualifications of the professionals employed by the Institution; and
- (g) The proof of residence of the applicant.

(2) Every application made under sub rule (1) shall comply with the following requirements in respect of the concerned institution, namely:-

- (a) That the institution had been working in the field of rehabilitation of persons with disabilities for not less than three years immediately before the date on which the application is made;

- (b) That the institution is registered under the Karnataka Societies Registration Act, 1960 or Karnataka Cooperative societies Act 1959 or under any other law for the time being in force in the State and a copy of such registration certificate along with the byelaws and memorandum of association of the society shall accompany the application;
- (c) That the institution has not been running to profit any individual or a body of individuals.
- (d) That the institution has employed professional registered with the Rehabilitation Council of India to cater to the special needs of children with disabilities
- (e) That the institution has adequate teaching and learning material for the persons with disabilities; and
- (f) That the institution has submitted its audited accounts and annual reports of last three years with the competent authority.

(3) The certificate of registration under this rule, unless revoked under section 52 of the Act, shall remain in force for a period of five years on and from the date on which it is granted or renewed.

(4) An application for the renewal of certificate of registration shall be made in the same manner as the application for grant of certificate under sub-rule (1) accompanied with the previous certificate of registration and a statement that the applicant is applying for renewal of the certificate so accompanied:

Provided that such application shall be made before sixty days of the expiry of the validity of such certificate;

Provided further that the competent authority may consider application for renewal of the certificate of registration after sixty days but not later than one twenty days, if he is satisfied that sufficient reasons has been provided for such delay.

(5) If the application for renewal of certificate of registration is made before its expiry as specified in the proviso to sub-rule (4), the certificate of registration shall continue to be in force until orders are passed on the application and the certificate of registration shall be deemed to have expired if application for its renewal is not made within sixty days as specified in the said provision.

(6) Every application made under sub-rule (1) or sub rule (5), in which the competent authority referred to in sub-section (1) of Section 51 of the Act, is satisfied that the requirements for grant of certificate of registration under the Act and these rules have been complied with, shall be disposed of by it within a period of ninety days thereafter.

13. Appeal against the order of competent authority.- Any person aggrieved by the order of the Registering (competent) authority referred to in sub - section (1) of Section 51 of the Act, refusing to grant a certificate of registration or revoking a certificate of registration may, within three months from the date of the order, prefer an appeal against that order to the Deputy Director, Directorate for the Empowerment of Differently Abled and Senior Citizens. The appellate authority may, after such an enquiry into the matter as it considers necessary and after giving the appellant an opportunity of hearing, make such order as it thinks fit. The Order of Appellate authority shall be final.

CHAPTER VII

CERTIFICATION OF SPECIFIED DISABILITIES

14. Application for certificate of disability.- (1) Any person with specified disability may apply in Form-IV for a certificate of disability and submit the application to the certifying authority designated by the State Government under section 57 of the Act.

Provided that where a person with disability is a minor or suffering from intellectual disability or any other disability which renders him unfit or unable to make such an application himself, the application on his behalf may be made by his legal guardian or by any organization registered under the Act having the minor under its care.

(2) The application shall be accompanied by,-

- (a) proof of residence;
- (b) two recent passport size photographs; and
- (c) adhaar number or adhaar enrolment number, if any.

Note.- No other proof of residence shall be demanded from the applicant who has adhaar or adhaar enrolment number.

15. Issue of certificate of disability.- (1) On receipt of an application under this rule, the certifying authority designated under section 57 of the Act shall, verify the information as provided by the applicant and shall assess the disability in terms of the relevant guidelines issued by the Central Government and after satisfying himself that the applicant is a person with disability, issue a certificate of disability in his favour in Form-V, VI and VII as the case may be.

(2) The certifying authority shall issue the certificate of disability within a month from the date of receipt of the application.

(3) The certifying authority shall, after due examination,-

- (i) Issue a permanent certificate of disability in cases where there are no chances of variation of disability over time in the degree of disability; or
- (ii) Issue a permanent certificate of disability indicating the period of validity, in cases where there is any chance of variation over time in the degree of disability.

(4) If an applicant is found ineligible for issue of certificate of disability, the certifying authority shall convey the reasons to him in writing under Form VIII within a period of one month from the date of receipt of the application.

(5) The State Government shall ensure that the certificate of disability is granted on online platform from such date as may be notified by the Central Government.

16. Certificate issued under this rule to be generally valid for all Purposes.- A person to whom the certificate issued under this rule shall be entitled to apply for facilities, concessions and benefits admissible for persons with disabilities under schemes of the Government and of non Governmental organizations funded by the Government.

17. Validity of certificate of disability issued under the repealed Act.- The certificate of disability issued under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996) shall continue to be valid after commencement of the Act for the period specified therein.

18. Appeal regarding Certificate of Disability.- (1) Any person aggrieved with the decision of the authority issuing the certificate of disability may within ninety days from the date of the decision, prefer an appeal to the District level Committee in the following manner,-

- (a) The appeal shall contain brief background and the grounds for making the appeal.
- (b) The appeal shall be accompanied by a copy of the certificate of disability or letter of rejection issued by the certifying authority.

Provided that where a person with disability is a minor or suffering from any disability which renders him unfit to make such an appeal himself, the appeal on his behalf may be made by his legal or limited guardian as the case may be.

(2) On receipt of such appeal, the District Level Committee shall provide the appellant an opportunity to present his case and thereafter pass such reasoned and detailed order as it may deem appropriate.

(3) Every appeal preferred under sub-rule (1) shall be decided as expeditiously as possible and not later than a period of sixty days from the date of receipt of the appeal.

CHAPTER VIII

STATE ADVISORY BOARD

19. Allowances for the Members of the State Advisory Board.- (1) The non official member of the state advisory board on disability not residing in the State Capital region, shall be paid an allowance of rupees two thousand per day for each day of the actual meetings of the said Board.

(2) The non-official members of the State Advisory Board on Disability, residing outside the state capital region, shall be paid daily and travelling allowances for each day of the actual meeting of the said Board at the rate admissible to a Group "A" or equivalent Officer of the State Government.

20. Notice of the Meeting.- The meetings of the State Advisory Board on disability constituted under sub - section (1) of Section 66 of the Act shall ordinarily meet in the Capital of the State on such dates as may be fixed by its Chairperson:

Provided that it shall meet at least once in every six months.

(2) The Chairperson of the State Advisory Board shall, upon the written request of not less than ten members of the State Advisory Board, call a special meeting of the Board.

(3) Fifteen clear days 'notice of an ordinary meeting and five clear days' notice of a special meeting specifying the time and the place at which such meeting to be held and the business to be transacted thereat, shall be given by Member Secretary of the State Advisory Board to the members of the Board.

(4) Notice of a meeting shall be given to the members of the State Advisory Board by delivering the same to them by messenger or sending it by registered post to their respective last known places of residence or business or by email or in such other manner as the chairperson of the Board may, in the circumstances of the case, think fit.

(5) No member shall be entitled to bring forward for the consideration of the meeting, any matter of which he has not given ten clear days notice to the Member Secretary, unless the Chairperson may permit him to do so.

(6) The State Advisory Board shall adjourn its meeting from day to day or to any particular days as under:-

- (a) Where a meeting of the State Advisory Board is adjourned from day to day, notice of such adjourned meeting shall be given, to the members available at the place of the meeting where the meeting which was adjourned, was to be held and it shall not be necessary to give notice of the adjourned meeting to the rest of the members.
- (b) Where a meeting of the State Advisory Board is adjourned not from day to day but from the day on which the meeting is to be held to another date, notice of such meeting shall be given to all the members of the Board as specified in sub-rule(4).

21. Presiding officer.- The Chairperson of the State Advisory Board shall preside at every meeting of the Board. When the Chairperson is absent from any meeting, the members present shall elect one of the members to preside in that meeting.

22. Quorum.- (1) One-third of the total members of the State Advisory Board shall form the quorum for any meeting.

(2) If at any time fixed for any meeting or during the course of any meeting less than one-third of the total members are present, the Chairperson thereof may adjourn the meeting to such hours on the following or on some other future date as he may fix.

(3) No quorum shall be necessary for the adjourned meeting of the Board.

(4) No matter, which had not been on the agenda of the ordinary or the special meeting of the Board, as the case may be, shall be discussed at adjourned meeting.

(5) (a) When a meeting of the Board is adjourned under sub-rule (2) for want of quorum in the following day, notice of such adjourned meeting shall be given to the members of the Board available at the place where the meeting which was adjourned was to be held and it shall not be necessary to give notice of the adjourned meeting to other members, and

(b) Where a meeting of the Board is adjourned under sub -rule(2) for want of quorum not to the following, but on a date with sufficient gap, notice of such adjourned meeting shall be given to all the members of the Board in the manner as specified in sub -rule(4) of rule 20.

23. Minutes.- (1) The Member Secretary shall keep the names of all the members of the Board who attended the meeting of the Board and of the proceedings of the meetings in a book to be maintained for that purpose.

(2) The minutes of the previous meeting of the Board shall be read at the beginning of every succeeding meeting, and shall be confirmed and signed by the presiding officer at such meeting.

(3) The proceedings shall be open to inspection by any member of the Board at the office of the Member-Secretary of the Board during office hours.

24. Business to be transacted at meeting.- Except with the permission of the presiding officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of rule 19 shall be transacted at any meeting of the Board.

25. Agenda for the meeting of the State Advisory Board.- (1) At any meeting of the Board business shall be transacted in the order in which it is entered in the agenda, unless otherwise resolved in the meeting with the permission of the presiding officer.

Provided that either at the beginning of the meeting of the Board or after the conclusion of the debate on a motion during the meeting, the presiding officer or a member may suggest a change in the order of business as entered in the agenda and if the Chairperson of the Board agrees, such a change shall take place.

26. Decision by majority.- All questions considered at a meeting of the Board shall be decided by a majority of votes of the members of the Board present and voting and in the event of equality of votes, the Chairperson, or in the absence of the Chairperson, the Vice-Chairperson of the Board or in the absence of both the Member presiding at the meeting, as the case may be, shall have a second or casting vote.

27. No proceeding to be invalid due to vacancy or any defect.- No proceeding of the Board shall be invalid by reasons of existence of any vacancy in or any defect in the constitution of the Board.

28. District - Level Committee.- The District-Level Committee on disability to be constituted by the State Government under Section 72 of the Act, shall consist of,-

(i)	The Deputy Commissioner of the district	Chairperson
(ii)	The Chief Executive Officer of zilla Panchayat	Co-Chairperson
(iii)	The Superintendent of Police	Ex-officio member
(iv)	The District Surgeon or Medical Superintendent	Ex officio member
(v)	The District Health and Family Welfare Officer	Ex-officio member
(vi)	The Psychiatrist of the District Hospital	Ex-officio member
(vii)	Public Prosecutor of the District	Ex-officio member
(viii)	The Secretary, District Legal Services Authority	Ex officio member
(ix)	Two Persons with disabilities representing non-governmental organizations of persons with disability nominated by the Deputy Commissioner	Member
(x)	Not more than 5 persons with disability as defined in Clause(s) of Section 2 of the Act, nominated by the Deputy Commissioner. Preferably One each from 5 disability groups.	Members
(xi)	Any other member as invited by the Chairperson	Member
(xii)	District Disabled Welfare Officer	Member Secretary
(xiii)	Representative of the Social Welfare Department not below the rank of Deputy Director	Member

(xiv)	The Deputy Director, Women and Child Welfare Department of the district	Member
(xv)	The Deputy Director, Education Department	Member
(xvi)	The Deputy Director, Pre-University Department	Member
(xvii)	The Executive Engineer, Public Works Department in the District.	Member

29. Functions of the District Level Committee.- The District-Level Committee on disability shall perform the following functions, namely:-

- (1) Advise the District authorities on matters relating to rehabilitation and empowerment of persons with disabilities;
- (2) Monitor the implementation of the provisions of the Act and the rules made there under by the District authorities.
- (3) Assist the District authorities in implementation of schemes and programmes of the Government for empowerment of persons with disabilities;
- (4) Look into the complaints relating to non implementation of the provisions of the Act by the District authorities and recommend suitable remedial measures to the concerned authority to redress such complaints;
- (5) Look into the appeal made by the employees of the Government establishments aggrieved with the action taken by the District level establishments under sub-section (4) of Section 23 and recommend appropriate measures; and
- (6) Any other functions as may be assigned by the State Government.

CHAPTER IX

STATE COMMISSIONER FOR PERSONS WITH DISABILITIES

30. Qualification for appointment of State Commissioner.- No person shall be eligible for appointment of State Commissioner for Persons with Disabilities, unless he,-

- (a) is a graduate from a university established by law;
 - (b) shall be a holder of degree or diploma in social work or law or management or human rights or rehabilitation or education of persons with disabilities;
 - (c) is having experience of at least fifteen years in a Group "A" level post in the State Government out of which at least two years of experience in dealing with the welfare and rehabilitation schemes of persons with disabilities;
- or
- shall have experience of at least fifteen years in public sector undertaking or a semi Government or an autonomous body dealing with disability related matters or social sector or as senior level functionary in registered national and international voluntary organizations in the field of disability or social development;

31. Mode of appointment of the State Commissioner.- (1) The State Government shall, at least six months before the post of State Commissioner is due to fall vacant, advertise in at least two national or state level daily newspapers, one in English and the other in Kannada inviting applications for the post from eligible candidates fulfilling the criteria.

(2) A Search-cum Selection Committee shall be constituted with one member being disabled or care giver of the disabled, to recommend a panel of three suitable candidates for the post of the State Commissioner.

(3) Composition of the Search-cum-Selection Committee referred to in sub-rule (2), shall be governed by relevant instructions issued by the concerned administrative department of the State Government.

(4) The panel recommended by the Search-cum-Selection Committee may consist of persons from amongst those who have applied in response to the advertisement made under sub-rule (1) as well as from other willing eligible persons in the employment of the Central or State Government whom the Committee may consider suitable.

(5) The State Government shall appoint one of the candidates out of the panel recommended by the Search-cum-Selection Committee under sub - rule (2) as the State Commissioner.

32. Term of the State Commissioner.- (1) The State Commissioner shall be appointed on full-time basis for a period of three years from the date on which he assumes office, till he attains the age of sixty-five years, whichever is earlier.

(2) A person may serve as State Commissioner for a maximum of two terms, subject to the upper age limit of sixty-five years;

(3) If an officer from the State or Central Government is selected while in service, he shall be deputed to the said post as per this rule, and be given option to resume back to his post previously held, unless he retires :

Provided that in case he retires before completion of his term he may be continued till the completion of his term.

33. Salary and allowances of the State Commissioner.- (1) the salary and allowances of the State Commissioner shall be the salary and allowances as admissible to a Secretary in the State Government.

Provided that, if an Officer of the Government who is appointed as State Commissioner while his term as such, retires/voluntarily takes retirement, during his term as State Commissioner, his pension be fixed as per the last pay drawn as State

Commissioner for disabilities or the last pay of the post held earlier to the post of State Commissioner for disabilities, whichever is higher.

(3) Where a State Commissioner being a retired Government servant or a retired employee of any institution or autonomous body funded by the Central or State Government, is in receipt of pension in respect of such previous service, the salary admissible to him under these rules shall be reduced by the amount of the pension, and if he had received in lieu of a portion of the pension, the commuted value thereof, by the amount of such commuted portion of the pension.

34. Other terms and conditions of service of the state commissioner.- The other terms and conditions of service of State Commissioner shall be such as specified below, namely:-

(a) Leave:

The State Commissioner shall be entitled to such leave as is admissible to Group "A" officer (Category IA) under the relevant provisions of the Karnataka State Civil Service Rules applicable on them.

(b) Leave Travel Concession:

The State Commissioner shall be entitled to such leave Travel Concession as is admissible to Group A 'officers (Category IA) under relevant provisions of the Karnataka State Civil Service Rules applicable on them.

(c) Medical Benefits:

The State Commissioner shall be entitled to such medical benefits as is admissible to Group 'A' officers (Category IA) under the relevant provisions of the Karnataka State Civil Service Rules applicable on them.

35. Resignation and removal.- (1) The State Commissioner may, by notice in writing, under his handwriting, addressed to the State Government, resign from his post.

Provided that he shall continue in the office till his resignation is accepted.

(2) The state government shall remove a person from the office of the state commissioner, if he,-

- (a) becomes an undischarged insolvent; or
- (b) engages during his term of office in any paid employment or activity outside the duties of his office; or
- (c) is convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude; or
- (d) is in the opinion of the State Government, unfit to continue in office by reason of infirmity of mind or body or serious default in the performance of his functions as laid down in the Act; or
- (e) is absent without obtaining the leave from the State Government, remains absent from duty for a consecutive period of fifteen days or more; or
- (f) has, in the opinion of the State Government, so abused the position of the State Commissioner as to render his/her continuance in the office detrimental to the interest of persons with disability:

Provided that no State Commissioner shall be removed under this rule except after following the procedure, mutatis mutandis, applicable for removal of a Group A 'officer of the State Government.

(3) The State Government may suspend the State Commissioner, in respect of whom proceedings for removal have been commenced in accordance with sub-rule (2), pending conclusion of such proceedings.

36. Residuary provision.- The conditions of service of the State Commissioner, in respect of which no express provision has been made in these rules, shall be determined by the rules and orders for the time being applicable to the Secretary to the State Government.

37. Procedures to be followed by the State Commissioner.- An aggrieved person may present a complaint containing the following particulars in person or by his agent to the State Commissioner or send it by registered post or by email addressed to the State commissioner, namely:-

- (a) the name, description and the address of the complainant;
- (b) the name, description and the address of the opposite party or parties, as the case may be, so far as they may be ascertained;
- (c) the facts relating to the complaint and when and where it arose;
- (d) documents in support of the allegations contained in the complaint; and
- (e) the relief which the complainant claims.

(2) The State Commissioner on receipt of a complaint shall refer a copy of the complaint to the opposite party or parties mentioned in the complaint, directing him to give his version of the case within a period of thirty days or such extended period not exceeding fifteen days as may be granted by the State Commissioner.

(3) On the date of hearing or any other date to which hearing could be adjourned, the parties or their agents shall appear before the State Commissioner.

(4) Where the complainant or his agent fails to appear before the State commissioner on such days, the State Commissioner may either dismiss the complaint on default or decide on the merits.

(5) Where the opposite party or his agent fails to appear on the date of the hearing, the State Commissioner may take such necessary action under section 82 of the Act as he deems fit for summoning and enforcing the attendance of the opposite party.

(6) The State Commissioner may dispose of the complaint ex-parte, if necessary.

(7) The State Commissioner may on such terms as he deems fit and at any stage of the proceedings, adjourn the hearing of the complaint.

(8) The State Commissioner shall decide the complaint as far as possible within a period of three months from the date of receipt of notice by opposite party.

38. Advisory Committee to assist the State Commissioner.- (1) The State Government shall appoint an Advisory Committee, comprising the five experts to represent each of the five groups of specified disabilities mentioned in the Schedule to the Act of whom two shall be women;

(2) The State Commissioner may invite subject or domain expert as per the need who shall assist him in meeting or hearing and in preparation of the report.

(3) The tenure of the members of the Advisory Committee shall be for a period of three years and the members shall not be eligible for re-nomination.

(4) The non-official members of the Advisory Committee, residing in the State capital, shall be paid an allowance of rupees two thousand per day of the actual meeting.

(5) The non official members of the Advisory Committee, not residing in the State capital shall be paid daily and travelling allowances for each day of the actual meetings at rate admissible to a Group 'A' officer of the State Government.

39. Submission of annual reports.- (1) The State Commissioner, shall as soon as may be possible, after the end of the financial year, but not later than the 30th day of September in the next year ensuing, prepare and submit to the State Government, an annual report giving a complete account of his activities during the said financial year.

(2) In particular, the annual report referred to in sub-rule (1) shall contain information in respect of each of the following matters, namely:-

- (a) names of officers and employees in the office of the State Commissioner and a chart showing the organizational set up;
- (b) the functions which the State Commissioner has been empowered under sections 80 and 81 of the Act and the highlights of the performance in this regard;
- (c) the main recommendations made by the State Commissioner;
- (d) progress made in the implementation of the Act in the State; and
- (e) any other matter deemed appropriate for inclusion by the State Commissioner or specified by the State Government from time to time to be included in the report.

CHAPTER X

SPECIAL PUBLIC PROSECUTOR

40. Appointment of Special Public Prosecutor.- (1) The Special Public Prosecutor to be appointed by the State Government in every Special Court shall have,-

- (a) practical experience of handling cases of persons with disabilities;
- (b) experience at the Bar of not less than seven years; and
- (c) shall be well versed with local language and customs.

Provided that the assistance of sign language interpreter may be taken for effective representation by the Public Prosecutor.

Provided further that at least two public prosecutors shall be appointed out of which one shall be female.

(2) The fee and other remunerations of the Special Public Prosecutor specified or appointed under sub- section (1) of section 85 of the Act shall be the same as that of Public Prosecutor appointed by the State Government under the code of criminal procedure, 1973 (Central Act 1 of 1974) for conducting the cases before a court of session.

CHAPTER XI

STATE FUND FOR PERSONS WITH DISABILITIES

41. State Fund for Persons with Disabilities and its management.-(1) There shall be credited to the State Fund for persons with disabilities herein after referred to as the State Fund,-

- (a) all sums received by way of grant, gifts, donations, benefactions, bequests or transfers;

- (b) all sums received from the State Government including grants - in- aid; and
- (c) all sums from such other sources as may be decided by the state, Government.

(2) There shall be a governing body consisting of following members to manage State Fund, namely:-

(i)	The Principal Secretary / Secretary to Government Women and Child Welfare and Department of Empowerment of Persons with Disabilities	Chair Person
(ii)	The Director of the Department of Empowerment of Persons with Disabilities	Ex officio Member
(iii)	The representative of Finance department not below the rank of Joint Secretary to the Government	Ex-officio member
(iv)	The State Commissioner for persons with disabilities	Ex officio member
(v)	Two representatives of the State Government Department of Health and Family welfare / Department of Higher Education / Department of Labour / Department of Finance / Department of Rural Development / Department of Urban Development, not below the rank of Deputy Secretary by rotation in alphabetical order nominated by the State Government.	Members
(vi)	Seven persons representing five groups of different types of disabilities to be nominated by the Government. Provided that, at least two shall be the persons who have expertise in disabilities and rehabilitation of one or more disability groups.	Members
(vii)	Joint Secretary/ Deputy Secretary of Women and Child Development and Empowerment of Differently Abled and Senior Citizens	Member Secretary

- (3) The governing body shall meet as often as necessary, but at least once in every financial year.
- (4) The nominated members shall hold office for 3 years or till the Government Notification of appointment of alternate member, whichever is less.
- (5) No member of the governing body shall be a beneficiary of the Fund during the period such member holds office.
- (6) The nominated non - official members shall be eligible for payment of travelling allowance and dearness allowance as admissible to a Group "A" officer of the State Government for attending the meetings of the governing body.
- (7) No non-official member shall be nominated as a member of governing body if he,-
 - (a) is, or has been, convicted of an offence, which in the opinion of State Government, involves moral turpitude, or
 - (b) is, or at any time has been, adjudicated as an insolvent

42. Utilization of State Fund.- The State Fund shall be utilized for the following purposes namely:-

- (a) Financial assistance to the areas which are not specifically covered under any scheme and program of the State Government;
- (b) Administrative and other expenses of the Fund, as may be required to be incurred by or under the Act; and
- (c) Such other purposes as may be decided by the governing body for the purposes of the Act.

(2) Every proposal of expenditure shall be placed before the governing body for its approval;

(3) The governing body may appoint secretarial staff including accountants with such terms and conditions as it may think appropriate to look after the management and utilization of the Sate Fund based on the requirements.

43. Budget.- The Chief Executive Officer of the State Fund shall prepare the budget for incurring expenditure under the State Fund in each financial year showing the estimated receipt and expenditure of the Fund, in January every year and shall place the same for consideration of the governing body.

44. Annual Report.- The annual report of the Department dealing with Empowerment of persons with Disabilities and Senior Citizens in the State Government shall include a chapter on the State Fund.

45. Repeal and Savings.- The Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) (Karnataka) Rules, 2003 are hereby repealed.

Provided that, the said repeal shall not affect the previous operation of the said rules or anything duly done or suffered there under or affect any right, liability or obligation acquired, accrued or incurred under the said rules.

By order and in the name of Governor of Karnataka

M. Rajanna

Under Secretary-2 to Government,

Women and Child Development and Empowerment of Differently Abled and Senior Citizens Department.

Form I

[See rule 6(13)]

Form of application to the designated authority by a person with disability, parent, relative or a registered organization for appointment of limited guardian.

From

Date

To

The Deputy Commissioner, (Designated Authority)

..... district.

Sir/Madam,

..... is a person with disability and require a limited guardian to take legally binding decisions regarding I / We hereby request that be appointed as limited guardian of the said for purpose for a period of

We furnish hereunder further details and request early decision.

1. Particulars of the person with disability:
 1. Name of the person with disability
 2. Complete postal address
 3. Age
 4. Male/Female
 5. Type of disability and percentage of disability
(Xerox copy to be enclosed)
 6. ID card No/UDID No.
(Xerox copy to be enclosed)
 7. Aadhar card No.
(Xerox copy to be enclosed)
 8. Contact No.
2. Particulars of the applicant:
 1. Name of the applicant
 2. Complete postal address
 3. Age
 4. Male/Female
 5. Relationship with Person with Disability
 6. Type of disability and percentage of disability of Person with Disability
(Xerox copy to be enclosed)
 7. ID card No/UDID No of Person with Disability
(Xerox copy to be enclosed)
 8. Aadhar card No. of the applicant (Xerox copy to be enclosed)
 9. Contact No.
3. Particulars of the persons or registered organisation proposed to be appointed as limited guardian:
 1. Name
 2. Postal address
 3. Age
 4. Male/Female
 5. Relationship with Person with Disability
 6. Details of registration, in case of registered organization
 7. Contact phone no.
 1. Landline
 2. Mobile

- 8. Purpose for which limited guardianship is required
(Please attach documents if any)
- 9. Period for which the support of limited guardianship is required
- 10. Details of situation if any which warrants
limited guardianship (Please describe)

Consent of the person to be appointed as limited guardian.

I/We hereby agree to be the limited guardian of for a period of and shall discharge my / our obligation with due diligence.

Signature of the applicant / Person with disability

Signature of the proposed limited guardian/s

Form II

[See rule 6(14)]

Form of Confirmation of appointment of limited guardian on application made by (1) Person with Disability (2) a registered organisation or (3) parent or relative of Person with Disability

I, Mr/Mrs , Deputy Commissioner/Designated authority, District having considered the application made by hereby appoint as limited guardian for Mr/Ms. (name of the Person with Disability) for a period of for the purpose of taking legally binding decisions regarding The obligations of limited guardian shall be as listed below:

Joint photo of limited guardian and person with disability

Place:
Date:

Signature of Designated Authority
Stamp/Seal

FORM-III

[see rule 12(1)]

Application for Grant of certificate of Registration.

Applicant Form:

Applicant Name _____ Name of the Organisation _____

Date of Birth _____ Postal address of the Organisation _____

Father Name _____ Address: 1 _____

Contact Number (Landline _____ Address: 2 _____

Of the Applicant)

Contact Number (Mobile) _____ Address:3 _____

Of the Applicant

E-Mail ID _____ Country _____

Name(s) of the person(s) in charge _____ State _____
Of the Organisation

Category of disabilities _____ District _____
In which the Organisation is involved

PIN:

Other Details:

TAN _____ Furnish details of the Buildings _____

PAN (of the Organisation) _____ Details regarding number of rooms, toilets, amenities,
facilities and water availability

GST _____ Details of financial resources
and source of funding _____

Whether the building yes Number of _____
Campus is No Beneficiaries

Architectural barrier

Free for Easy and

Smooth mobility of

Persons with

Disabilities?

Is the building access Yes Number of _____

Audited No Professionals
Employed in the
Organisation

Number of employees _____

In the organisation

Additional Details:

Apply to the Office _____

Word verification



To change character
Click to symbol

Please enter the characters shown above

Draft

Submit

Close

Reset

Form – IV
[See rule 14(1)]
Application For obtaining Certificate of Disability by person with Disability

1. Personal Details

Applicant Name :

First Name Middle Name Surname

Father's Name :

Photograph
Passport Size 2 x

Mother's Name :

Date of Birth :

(DD/MM/YYYY)

Age :

Mobile No :

E-mail ID :

Gender :

Male Female Other

Mark of Identification :

Signature / Thumb / Other Print

Category :

General OBC* SC* ST* (*Attached cast certificate for OBC/SC/ST only)

Blood Group :

O+ O- A+ A- B+ B- AB+ AB-

Marital Status :

Married* Unmarried Widow Divorced Divorcee & Widower

*If you are married give Spouse Name :

Name of Guardian/ Caretaker
/Attendant / Related Person :

His/Her Contact No. :

Relation with Person with
Disability :

Father Mother Wife Husband Uncle Aunty Sister Other

Educational Details :

Primary Middle/Higher Primary Senior Secondary Higher Secondary
 Diploma Graduate PG Diploma Post Graduate Doctorate

2. Address Details

Correspondence Address :

Pincode : _____

State/UTs : _____ District : _____

City/Sub District/Tehsil : _____ Village/Block : _____

Document for Address Proof : Driving Licence Ration Card Voter ID Other (Domicile Certificate)

Permanent Address:

Pincode : _____

State/UTs : _____ District : _____

City/Sub District/Tehsil : _____ Village/Block : _____

3. Disability Details

Have disability Certificate: Yes* No (*if yes, please fill in the following details & attach disability certificate)

Sr./Reg. No. of Certificate : _____ Date of issue (DD/MM/YYYY)

Disability Percentage (%) : _____ (For example:30%,40%,50%,60%)

Details of Issuing Authority : Chief Medical Office Medical Authority

Disability Type :

Blindness Muscular Dystrophy Hearing Impairment Hemophilia

Low Vision Parkinson's Disease Intellectual Disability Thalassemia

Leprosy Cured Sickle Cell Disease Acid Attack Victim Locomotor Disability

Cerebral Palsy Dwarfism Mental Illness Multiple Sclerosis

Specific Learning Disabilities Speech and Language Disability Autism Spectrum Disorder Chronic Neurological Conditions

Multiple Disabilities including Deaf Blindness

Disability By Birth : Yes* No Disability Since: _____ (in year)

Pension Card Number : _____ Disability Scheme :

Hospital Treating Disability :

Disability Area : Chest Ears Head Left Eye Left Hand Left Leg Mouth

Nose Shoulder Throat Right Eye Right Hand Right Leg Stomach

Disability Due to : Accident Congenital Hereditary

4. Employment Details

Employed : Yes No* Unemployed Since : _____

Occupation : Govt. Job Professional/Technical Agriculture Service & Shops
 Clerks Craft/Trade Workers Daily Wages Worker Plant/Factory
 Other Occupation _____

BPL/APL :	<input type="checkbox"/> N/A	<input type="checkbox"/> APL	<input type="checkbox"/> BPL	<input type="checkbox"/> Antodya	
Personal Income (Annual) :	<input type="checkbox"/> Below 10,000	<input type="checkbox"/> From 10,000 to 1,00,000	<input type="checkbox"/> 1,00,000 to 5,00,000	<input type="checkbox"/> > 5,00,000	
Father Income (Annual) :	<input type="checkbox"/> Below 10,000	<input type="checkbox"/> From 10,000 to 1,00,000	<input type="checkbox"/> 1,00,000 to 5,00,000	<input type="checkbox"/> > 5,00,000	
Spouse Income (Annual) :	<input type="checkbox"/> Below 10,000	<input type="checkbox"/> From 10,000 to 1,00,000	<input type="checkbox"/> 1,00,000 to 5,00,000	<input type="checkbox"/> > 5,00,000	

5. Identity Details

Attached Identity Proof : Driving Licence PAN Card Ration Card Voter ID Aadhar Card

Identity Proof Number : _____

Aadhaar Card Number : _____ TIN (NPR) : _____

Any Other State/UTs ID : _____ Other State/UTs ID Value : _____

I _____, the applicant do hereby declare that what is stated above is true to the best of my own information and brief.

Date : _____ Applicant's Signature/Thumbprint : _____

Form-V

[See rule 15(1)]

Certificate of Disability

(In cases of amputation or complete permanent paralysis of limbs or dwarfism and in case of blindness)

(Name and Address of the Certifying Authority issuing the Certificate)

Recent passport size attested photograph (Showing face only) of the person with disability.

Certificate No. _____ Date: _____

This is to certify that I have carefully examined Shri/Smt./Kum. _____ son/wife/daughter of Shri _____ Date of Birth (DD/MM/YY) _____ Age _____ years, male/female _____ registration No. _____ permanent resident of House No. _____ Ward/Village/Street _____ Post Office _____ District _____ State _____ whose photograph is affixed above, and am satisfied that:

(A) he/she is a case of:

- Locomotor disability
- Dwarfism
- Blindness

(Please tick as applicable)

(B) the diagnosis in his/her case is _____

(A) he/she has _____ % (in figure) _____ percent (in words) permanent locomotors disability/dwarfism/blindness in relation to his/her _____ (part of body) as per guidelines (..... number and date of issue of the guidelines to be specified).

2. The applicant has submitted the following document as proof of residence:-

Nature of document	Date of issue	Details of authority issuing certificate

Signature/thumb impression of the person in whose favour certificate of disability is issued

(Signature and Seal of Authorised Signatory of notified Certifying Authority)

Form – VI

[See rule 15(1)]

Certificate of Disability

(In cases of multiple disabilities)

(Name and Address of the Certifying Authority issuing the Certificate)

Recent passport size attested photograph (Showing face only) of the person with

Certificate No. _____

Date: _____

This is to certify that we have carefully examined Shri/Smt./Kum. _____ son/wife/daughter of Shri _____ Date of Birth (DD/MM/YY) _____ Age _____ years, male/female _____ Registration No. _____ permanent resident of House No. _____ Ward/Village/Street _____ Post Office _____ District _____ State _____ whose photograph is affixed.

above, and am satisfied that:

A) he/she is a case of Multiple Disability. His/her extent of permanent physical impairment/disability has been evaluated as per guidelines (..... number and date of issue of the guidelines to be specified) for the disabilities ticked below, and is shown against the relevant disability in the table below:

Sl. No.	Disability	Affected part of body	Diagnosis	Permanent physical impairment/mental disability (in %)
1	Locomotor disability	@		
2	Muscular Dystrophy			

Sl. No.	Disability	Affected part of body	Diagnosis	Permanent physical impairment/mental disability (in %)
3	Leprosy cured			
4	Dwarfism			
5	Cerebral Palsy			
6	Acid attack Victim			
7	Low vision	#		
8	Blindness	#		
9	Deaf	£		
10	Hard of Hearing	£		
11	Speech and Language disability			
12	Intellectual Disability			
13	Specific Learning Disability			
14	Autism Spectrum Disorder			
15	Mental illness			
16	Chronic Neurological Conditions			
17	Multiple sclerosis			
18	Parkinson's disease			
19	Haemophilia			
20	Thalassemia			
21	Sickle Cell disease			

(B) In the light of the above, his/her over all permanent physical impairment as per guidelines (.....number and date of issue of the guidelines to be specified), is as follows :-

In figures : - percent

In words :- percent

2. This condition is progressive/non-progressive/likely to improve/not likely to improve.

3. Reassessment of disability is : (i) not necessary, or (ii) is recommended/after years months, and therefore this certificate shall be valid till (DD) (MM) (YY)

@ e.g. Left/right/both arms/legs

e.g. Single eye

£ e.g. Left/Right/both ears

4. The applicant has submitted the following document as proof of residence:-

Nature of document	Date of issue	Details of authority issuing certificate

5. Signature and seal of the Certifying Authority.

Name and Seal of Member	Name and Seal of Member	Name and Seal of the Chairperson

Signature/thumb impression of the person in whose favour certificate of disability is issued.

Form – VII

[See rule 15(1)]

Certificate of Disability

(In cases other than those mentioned in Forms V and VI)

(Name and Address of the Certifying Authority issuing the Certificate)

Recent passport size
 attested photograph
 (Showing face only) of
 the person with
 disability.

Certificate No. _____

Date: _____

This is to certify that we have carefully examined Shri/Smt./Kum. _____
 son/wife/daughter of Shri _____ Date of Birth (DD/MM/YY) _____ Age _____ years, male/female _____
 Registration No. _____ Permanent resident of House No. _____ Ward/Village/Street _____ Post
 Office _____ District _____ State _____ whose photograph is affixed above, and am satisfied that: he/she is a case of
 _____ Disability. His/her extent of permanent physical impairment/disability has been evaluated as per guidelines
 (.....number and date of issue of the guidelines to be specified) for the disabilities ticked below, and is shown against the relevant
 disability in the table below:

Sl. No.	Disability	Affected part of body	Diagnosis	Permanent physical impairment/mental disability (in %)
1	Locomotor disability	@		
2	Muscular Dystrophy			
3	Leprosy cured			
4	Cerebral Palsy			
5	Acid attack Victim			
6	Low vision	#		
7	Deaf	€		
8	Hard of Hearing	€		
9	Speech and Language disability			
10	Intellectual Disability			
11	Specific Learning Disability			
12	Autism Spectrum Disorder			
13	Mental illness			
14	Chronic Neurological Conditions			

15	Multiple sclerosis			
16	Parkinson's disease			
17	Haemophilia			
18	Thalassemia			
19	Sickle Cell disease			

(Please strike out the disabilities which are not applicable)

2. The above condition is progressive/non-progressive/likely to improve/not likely to improve.

3. Reassessment of disability is:

(i) not necessary, or

(ii) is recommended/after _____ years _____ months, and therefore this certificate shall be valid till (DD/MM/YY) _____

@ - eg. Left/Right/both arms/legs

- eg. Single eye/both eyes

€ - eg. Left/Right/both ears

4. The applicant has submitted the following document as proof of residence:-

Nature of document	Date of issue	Details of authority issuing certificate

(Authorised Signatory of notified Certifying Authority)

(Name and Seal)

Signature/thumb impression of the person in whose favour certificate of disability is issued
--

Note.- In case this certificate is issued by a certifying authority who is not a Government servant, it shall be valid only if countersigned by the Chief Medical Officer of the District.

FORM – VIII

[See rule 15(4)]

[Intimation of rejection of Application for Certificate of Disability]

No. _____

Dated: _____

To,

(Name and address of applicant
for Certificate of Disability)

Sub: Rejection of Application for Certificate of Disability

2554

PEAOI PA GADAWA UGA AGA, Sgi 5, 2019

UA4J

Sir/ Madam,

Please refer to your application dated _____ for issue of a Certificate of Disability for the following disability:

2. Pursuant to the above application, you have been examined by the undersigned/ Certifying Authority on _____, and I regret to inform that, for the reasons mentioned below, it is not possible to issue a Certificate of Disability in your favour:

(i)

(ii)

(iii)

3. In case you are aggrieved by the rejection of your application, you may represent to _____, requesting for review of this decision.

Yours faithfully,

(Authorised Signatory of the notified Certifying Authority)

(Name and Seal)

M. Rajanna

Under Secretary-2 to Government,

Women and Child Development and Empowerment of Differently
Abled and Senior Citizens Department.

PR-390

SC-2000