

BRIHANMUMBAI MUNICIPAL CORPORATION

Office of the Deputy Commissioner (E.R.), Near Wardhaman Heights,
A. G. Pawar Marg, Dr. Babasaheb Ambedkar Road,
Kalachowki, Byculla, Mumbai - 400 027.
Email id : dmc.re@mcgm.gov.in

Fax No. 23740230

Tel. No. 23740221.

No. DC/H.R./1154, dated 08.09.2015.

**The said copy (page Nos. 1 to 8) is
being provided to the Applicant under
the Right to Information from the Main
License Department.**

Sd/- 5.3.18

Head Clerk, License Department

Submitted.

Vide Order No. DC/TVC/H.R./2, dated 01.01.2014 from the Municipal Commissioner, Ward Hawking Committee was formed under the Chairmanship of concerned Assistant Commissioners in all the 24 Wards of the Municipal Corporation. The said Committees were given directions to create 'Hawking Zone', 'No Hawking Zone', 'Prohibited Hawking Zone', etc. in their respective areas. For getting the said work done strictly and properly, meetings and workshops of all the concerned Assistant Commissioners and Senior Inspectors of the License Department were organized from time to time they were made available all the records required for the said work, such as Hon. Supreme Court's directives, provisions regarding National Hawking Policy, Guiding Principles approved by the City Hawking Committee of the Municipal Corporation as also the recommendations of the concerned Committee formed by the Government. Thereafter, Zone-wise meetings of the members of the said Committees were also held to take review of the said work and they were given necessary instructions for this work.

Remarks of the Chief Engineer (Traffic and Roads) were obtained on the recommendations received from the said Committee. After receipt of his remarks, the said proposal was forwarded to the Zonal Deputy Commissioner for review. Instructions were issued for submission of the final proposal after exhibiting the said proposal on the Notice Boards in the offices of the concerned Ass. stant Commissioners and the Zone Deputy Commissioner as also by calling suggestions/ objections in the said matter from the public representatives, general public, residents' associations, etc. and after scrutinizing and submitting the same along with the remarks of the Zonal Deputy Commissioner by the end of July.

As mentioned above, with a view to bring similarity in the proposals submitted by the Committees from all the 24 Wards, it is necessary to issue following directions to the Zonal Deputy Commissioners :-

- 1) All the concerned Zonal Deputy Commissioners, while reviewing the areas of 'Hawking Zone', 'No Hawking Zone' and 'Prohibited Hawking Zone' in the respective jurisdictions, should follow the following points :-

(A) **"No Hawking Zone"**

- i) Up to 150 meters from the Municipal Market, Hospital, Railway Station and Bus Station.
- ii) Up to 100 meters from the Educational Institutions and Religious places. However, within the area of religious places, sufficient place should be reserved for selling of materials required for Puja, Archa, Sadhana, etc.
- iii) Footpaths in front of High Court, other Courts, important offices of the Government of India, Government of Maharashtra and other important institutions.
- iv) Area within the Central point of a square.
- v) 50 meters on both the sides from the central point of roads and on the curves of the road.
- vi) The Entry Gates of Residential buildings, Commercial establishments, Residential Complexes.
- vii) Roads having less vehicular traffic capacity (from the 'No Hawking Zones')
- viii) Footpaths having width of less than 10 feet.

(B) **"Prohibited Hawking Zone":**

- i) Before 9.00 a.m. and after 6.00 p.m. on the footpaths in front of Educational Institutions, Government Offices and other private offices.
- ii) Roads on the opposite side of vehicular traffic, roads going towards Railway Stations and Bus Stations.

(C) **"Hawking Zone" :**

- i) On one side of footpath / road.

- ii) On footpaths having more than 10 feet width.
 - iii) The end of a road.
 - iv) Open spaces near Nullah.
 - v) Such other places where there would no obstruction to the pedestrians and vehicular traffic.
 - vi) Places reserved for markets proposed by the Municipal Corporation.
 - vii) Open spaces within the jurisdiction of Residential Complexes. However, while doing so, it is necessary to take approval from the Competent Authority.
 - viii) While deciding "Hawking Zone", the space between two poles near the Municipal Corporation's BEST Administration should be considered.
 - ix) One pitch should be prepared in an area of 1 x 1 meter.
 - x) After continuous 10 pitches, an area of one meters should be left open for public thoroughfare.
 - xi) If the pitches are adjacent to compound walls, there is no need to leave distance.
 - xii) While proposing the 'Hawking Zone', places where there are less commercial establishments, residential complexes should be selected.
- 2) It should be made sure that all roads, lane/bye-lane from the Ward are included in the proposals received.
 - 3) Where the roads, lanes/bye-lanes are not included in the proposal arrangement should be made to create new 'Hawking Zone', 'No Hawking Zone', 'Prohibited Hawking Zone' on such road.
 - 4) A list of 'Hawking Zone', 'No Hawking Zone', 'Prohibited Hawking Zone' in the proposal should be exhibited on the Notice Boards in the offices of the Deputy Commissioner (Zonal) and concerned Ward Offices and suggestions and objections from the concerned should be called **from 28.9.2015 to 5.10.2015**.
 - 5) The concerned Zonal Deputy Commissioner should take into consideration the objections received from the people's representatives, general public, market federation, N.G.O., C.B.O. and others and the proposal, along with his remarks should be submitted in the following table :

Sr. No.	Name of the Road	Details of the 'Hawking Zone'	Type of 'Hawking Zone' ('Hawking'/ 'No Hawking'/ 'Prohibited Hawking')	Name of the institution taking Objection/ Challenge	Details of the Objections	REMARKS of the Zonal Deputy Commissioner
1	2	3	4	5	6	7

6) After including the points mentioned above, the Zone Deputy Commissioner should submit the layout plan along with his remarks to the Deputy Commissioner [Encroachment (Removal)] **before 19 October, 2015.**

Draft of Circular to issue instructions to the Zonal Deputy Commissioner as above is respectfully submitted at Page No. 157/C for approval to the Hon. Deputy Commissioner [Encroachment (Removal)]/Hon. Additional Commissioner (City)/Hon. Municipal Commissioner.

Sd/- 05/09/15
License Superintendent

Hon. Deputy Commissioner
[Encroachment (Removal)]Sir

Sd/- 8.9.2015
DMC (R.E.)

Hon. Addl. Commissioner [City]
Madam

Sd/- 10.9.2015
AMC (R.E.)

Brihanmumbai Municipal
Corporation

Office of the Additional
Commissioner (City)

09 SEP 2015
No. Addl. Commnr./City/8669

Hon. Municipal Commissioner
Sir

Are there norms different
from those specified in our
Vending Act.

Sd/- Ajoy Mehta
19/9/15
Municipal Commissioner

Brihanmumbai Municipal
Corporation

Office of the Commissioner
11 SEP 2015
Time : 11, 12, 13, 14, 15, 16,
17, 18.
No. MGC/F/7623

DMC (RE)

AMC (C)

Off of the AMC (City)
No. AMC/C/8669
Date : 21.9.15

1. The criteria in the present case have been proposed after taking into consideration the recommendations made by the Committee constituted by the State Government (for Scheme and Rules), as also the directions given by the Hon. Supreme Court in the case.
2. Parameters giving in Appendix-1 of the Footpath Act have also been taken into consideration.
3. If the directives proposed in the present case are given to the Zonal Deputy Commissioner, the action in the case can be taken. Till the Scheme is approved by the State Government, the said action can reach the final stage. Similarly, if we wait till the Scheme is received from the State Government, the time will unnecessarily lapse. It is therefore requested that approval may kindly be accorded to the proposed Circular.

Sd/- 3.10.15
DMC (R.E.)

Brihanmumbai Municipal
Corporation

Office of the Additional
Commissioner (City)

07.10.15
No. Addl. Commnr./City/9153

Hon. Addl. Commissioner (City)

Resp. Sir,

Kindly refer to notes above. As per your honour's query, the issue is clarified that these norms are on basis of SC directives.

Resubmitted for directions.

Sd/- Pallavi
7.10.15

A.M.C. (C)

H'ble MC

Sd/- 9.10.15
Ajoy Mehta
Municipal Commissioner

Brihanmumbai Municipal
Corporation
Office of the Commissioner
8 OCT 2015
Time : 11, 12, 13, 14, 15, 16,
17, 18.
No. MGC/F/7623

AMC (C)

DMC (RE)

Sd/- 9.10.15
A.M.C. (C)

Brihanmumbai Municipal
Corporation
Office of the Additional
Commissioner (City)
12 OCT 2015
No. Addl.Commnr./City/9153

Sub : Regarding Planning of Hawkers/Non-
Hawkers Zones and restricted Zones
footpaths in Wards.

Brihanmumbai Municipal
Corporation
Office of the Deputy Municipal
Commissioner (Removal of
Encroachment)
16 OCT 2015
Time : 11, 12, 13, 14, 15, 16,
17, 18.
No. DC/E.R./HR/1363

Issue Circular with suitable changes in the
dates of suggestions/Objections (para 45.6
as corrected).

Sd/- 19.10

DMC (R.E.)

DMC/RE/HR/1363
Date :- 19/10/15

Brihanmumbai Municipal
Corporation

Main License Office,
Senapati Bapat Marg, Dadar
(West), Mumbai-400 028.

19 OCT 2015
Time : 11, 12, 13, 14, 15, 16,
17.

No. 022595

Joint License Superintendent _____
Deputy License Superintendent _____
Asstt. License Superintendent _____
Administrative Officer _____
Head Clerk :Rem.of Enc./Accounts
Estt.-1 / Estt.-2

Please take further necessary action/
Submit proposal/Discuss/Reply to the
Correspondence/Submit report.

Sd/-
License Superintendent

O.N.

File received on 21/10/2015 at 3.00 p.m.

Sd/-
21/10/15

BRIHANMUMBAI MUNICIPAL CORPORATION

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No. DC/H.R./____, dated __.09.2015.

C I R C U L A R

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28.10.2015 to 2.11.2015.
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23.11.2015

Sd/- 08/09/15
License Superintendent

Sd/- 08/09/15
Dy. Commissioner
(Encroachment Removal)

Sd/- 10/09/15
Addl. Commissioner (City)

Sd/- (Ajoy Mehta)
Municipal Commissioner