ORDER OD-1

## WPO(P) No.9 of 2021 IN THE HIGH COURT AT CALCUTTA CONSTITUTIONAL WRIT JURISDICTION ORIGINAL SIDE

## AKSHYA KUMAR SARANGI VERSUS THE STATE OF WEST BENGAL AND ORS.

**BEFORE:** 

THE HON'BLE CHIEF JUSTICE PRAKASH SHRIVASTAVA THE HON'BLE JUSTICE RAJARSHI BHARADWAJ

DATE: 28<sup>TH</sup> JANUARY, 2022

[Via Video Conference]

APPEARANCE:

Mr. Srikanta Dutta, Advocate Ms. Rituparna Sarkar Dutta, Advocate ......for petitioner

Mr. S. N. Mookherjee, AG Mr. Amitesh Banerjee, Sr. Standing Counsel Mr. Nilotpal Chatterjee, Advocate ...for State

> Mr. Alok Kumar Ghosh, Advocate Ms. Era Ghosh, Advocate ......for KMC

The Court:- The issue relates to implementation of the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

The submission of learned counsel for the petitioner is that after coming into force of the Act of 2014, more than seven years have passed and the needful has not been done by the respondents in respect of formation of the Town Vending Committee. He has further submitted that rules were framed in the year 2018, namely, the West Bengal Urban Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2018. He has alleged that there was delay in framing the rules. He has also referred to paragraph 4 of the Status Report on behalf of the State and has submitted that till now Town Vending Committee in all the local bodies have not been constituted and thereafter, these local bodies are required to identify the vending zone, to issue licences to the vendors and to

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take steps to shift the vendors to the specified zone but all these have not been

done and it has been delayed.

Learned AG has fairly stated before this Court that he will issue necessary

communications to all the local bodies in respect of implementation of the

previsions of the Act as also gather information about the stage upto which the

progress has been made in each of the local bodies.

Learned counsel appearing for the respondent no.2, Kolkata Municipal

Corporation also seeks time to find out the timeframe within which the provisions

of the Act will be implemented.

List on 25th February 2022.

(PRAKASH SHRIVASTAVA, C.J.)

(RAJARSHI BHARADWAJ, J.)

sm/akg