

# Implementing the Street Vendors Act

The Hindu

Paper - II  
(Governance)

A decade has passed since the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act came into effect on May 1, 2014, marking a significant milestone after nearly four decades of legal jurisprudence and the tireless efforts of street vendor movements across India. Celebrated as a progressive legislation, the Act now faces numerous challenges in its implementation. Looking back, the mere enactment of a law did not ensure the protection and security of street vendors in Indian cities; there was much to be desired in its execution.

## Provisions of the law

Street vendors, estimated to constitute 2.5% of any city's population, play multifaceted roles in city life. Local vegetable sellers and food vendors are essential providers of daily services. Vending offers many migrants and the urban poor a source of modest yet consistent income. The vendors also make city life affordable for others by providing vital links in the food, nutrition, and goods distribution chain at reasonable prices.

Street vendors are also integral to Indian culture — imagine Mumbai without its vada pav or Chennai without its roadside dosai. The law was enacted to acknowledge this reality. It aimed to 'protect' and 'regulate' street vending in cities, with State-level rules and schemes, and execution by Urban Local Bodies (ULBs) through by-laws, planning, and regulation. The Act clearly delineates the roles and responsibilities of both vendors and various levels of government. It recognises the positive urban role of vendors and the need for livelihood protection. It commits to accommodating all 'existing' vendors in vending zones and issuing vending certificates. The Act establishes a participatory governance structure through Town Vending Committees (TVCs) and mandates that street vendor representatives must constitute 40% of TVC members, with a sub-representation of 33% of women street vendors. These committees are tasked with ensuring the inclusion of all existing vendors in vending zones. Additionally, the Act outlines mechanisms for addressing grievances and disputes, proposing the establishment of a Grievance Redressal Committee chaired by a civil judge or judicial magistrate. Its provisions set a crucial precedent for inclusive and participatory approaches to address street vending needs in cities, at least in theory.

## Three broad challenges:

However, the Act has faced three broad challenges. First, at the administrative level, there has been a noticeable increase in harassment and evictions of street vendors, despite the Act's emphasis on their protection and regulation. This is often due to an outdated bureaucratic mindset that views vendors as illegal entities to be cleared. There is also a pervasive lack of awareness and sensitisation about the Act among state authorities, the wider public, and vendors themselves. TVCs often remain under the control of local city authorities, with limited influence from street vendor representatives. And the representation of women vendors in TVCs is mostly tokenistic.

Second, at the governance level, existing urban governance mechanisms are often weak. The Act does not integrate well with the framework established by the 74th Constitutional Amendment Act for urban governance. ULBs lack sufficient powers and capacities. Schemes like the Smart Cities Mission, laden with resources and pushed through as policy priorities from the top-down, mostly focus on infrastructure development and ignore the provisions of the Act for the inclusion of street vendors in city planning.

Third, at the societal level, the prevailing image of the 'world class city tends to be exclusionary. It marginalises and stigmatises street vendors as obstacles to urban development instead of acknowledging them as legitimate contributors to the urban economy. These challenges are reflected in city designs, urban policies, and public perceptions of neighbourhoods.

## The way forward

While the Act is progressive and detailed, its implementation requires support, possibly (and ironically) necessitating top-down direction and management starting from the Ministry of Housing and Urban Affairs. This needs to be decentralised over time to ensure effectiveness in addressing the diverse needs and contexts of street vendors nationwide. PM SVANidhi, a micro-credit facility for street vendors, has been a positive example in that direction. There is a strong need to decentralise interventions, enhance the capacities of ULBs to plan for street vending in cities, and move away from high-handed department-led actions to actual deliberative processes at the TVC level. Urban schemes, city planning guidelines, and policies need to be amended to include street vending.

The Act now faces new challenges such as the impact of climate change on vendors, a surge in the number of vendors, competition from e-commerce, and reduced incomes. The Act's broad welfare provisions must be used creatively to meet the emerging needs of street vendors. The sub-component on street vendors in the National Urban Livelihood Mission needs to take cognisance of the changed realities and facilitate innovative measures for addressing needs. The case of the Street Vendors Act highlights the complex interplay of contestation over space, workers in urban areas, and governance, offering valuable lessons for future lawmaking and implementation.

### What are Government's Initiatives for Street Vendors?

#### SVANidhi Scheme:

- ❖ SVANidhi Scheme was launched to benefit over 50 lakh street vendors who had been vending in urban areas including those from surrounding peri-urban/rural areas.
- ❖ It also aims to promote digital transactions through cash-back incentives up to an amount of Rs. 1,200 per annum.

#### National Association of Street Vendors of India:

- ❖ NASVI is an organization working for the protection of the livelihood rights of thousands of street vendors across the country.
- ❖ The main objective was to bring together the street vendor organizations in India so as to collectively struggle for macro-level changes.

#### The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014:

- ❖ It was enacted to regulate street vendors in public areas and protect their rights.
- ❖ The Act defines a "street vendor" as a person engaged in vending of articles of everyday use or offering services to the general public, in any public place or private area, from a temporary built-up structure or by moving from place to place.

### Expected Question for Prelims

**Que. Consider the following statements with reference to street vendors in India-**

1. Swanidhi scheme has been introduced for street vendors only in urban areas.
2. National Association of Street Vendors of India is a unified platform of street vendor organizations in India.

Which of the statements given above is/are correct?

- (a) Only 1                      (b) Only 2  
(c) Both 1 and 2              (d) Neither 1 nor 2

**Answer : B**

### Mains Expected Question & Format

**Que.:** It has been a decade since the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act came into force in India. Analyze this Act in the context of current challenges.

#### Answer's Approach:

- ❖ Explain the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act in the first part of the answer.
- ❖ In the second part, discuss the current challenges faced by street vendors and analyze the existing Act in the context of these challenges.
- ❖ Finally give a conclusion giving suggestions.

**Note:** - The question of the main examination given for practice is designed keeping in mind the upcoming UPSC mains examination. Therefore, to get an answer to this question, you can take the help of this source as well as other sources related to this topic.