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**STREET VENDING LAW AND LIVELIHOOD RIGHTS IN  
INDIA: A SOCIO-LEGAL REVIEW OF THE STREET  
VENDORS (PROTECTION OF LIVELIHOOD AND  
REGULATION OF STREET VENDING) ACT, 2014 -  
SUCCESS OR FAILURE?**

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By- Anurag<sup>1</sup>

**ABSTRACT**

*Street vending is one of the oldest and most visible means by which poor people in India earn their livelihood. The street vendors sell fruits, clothes and many daily-use items at low prices, for their survival. So, in order to protect them from harassment, abuse, torture, eviction, and unfair treatment, the Government of India has formulated a special law in the form of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.*

*The present socio-legal review explores the effectiveness of the 2014 Act in different ways such as the objectives of the Act, the law, implementation, constitutional importance, the problems faced in the implementation of the Act, judicial decisions and developments in the context of the Act, and the extent to which the rights of street vendors have been protected by the courts.*

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*Further, this paper is an attempt to comprehend the success or failure of the 2014 Act. It reviews functionality with regard to its actual practice, whether or not the vendors are treated well by the local bodies and police, and in what way the Act has helped in forwarding the rights of the vendors to a decent livelihood.*

*This study revealed that the success of the 2014 Act cannot be judged in the country based on the existence of the Act as a legal instrument; it should be implemented in the true spirit with sincere efforts with the help of surveys, rehabilitation, and the accountability of the local authorities.*

**KEYWORDS:** Street vendors, Town Vending Committees, Informal sector, Livelihood, Hawker.

## **INTRODUCTION:**

If we walk along any main road in almost every Indian city, we find people selling tea, pani-puri, fruits, clothes, toys, mobile accessories and many other small items. These people are known as street vendors or hawkers. They may appear “small” in scale, yet play a very big role in the urban economy of India. Government estimates show that India has around 50-60 lakh<sup>2</sup> [5-6 million] street vendors<sup>3</sup>, while earlier even the Ministry of Housing and Urban Poverty Alleviation estimated the number to be around one crore [10 million]<sup>4</sup>. They account for 50% of the nation's savings

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<sup>2</sup> Aprajita Sharma, Street Vendor Act, PM SVANidhi Scheme Explained, Indian Express (Apr. 1, 2021), <https://indianexpress.com/article/explained/street-vendor-act-pm-svanidhi-scheme-explained-6911120/>

<sup>3</sup> Prabhakar Nandru & Madhavaiah Chendragiri & Arulmurugan Velayutham, 2021. "Examining the influence of financial inclusion on financial well-being of marginalized street vendors: an empirical evidence from India," <https://www.emerald.com/ijse/article-abstract/48/8/1139/158015/Examining-the-influence-of-financial-inclusion-on?redirectedFrom=fulltext>, International Journal of Social Economics, Emerald Group Publishing Limited, vol. 48(8), pages 1139-1158, April.

<sup>4</sup> IIMB Street Vendors Policy Support & Aid Recovery Market (IIM Bangalore) Street Vendors Policy Support & Aid Recovery Market, Indian Inst. of Mgmt. Bangalore, [https://www.iimb.ac.in/turn\\_turn/street-vendors-policy-support-aid-recovery-market.php](https://www.iimb.ac.in/turn_turn/street-vendors-policy-support-aid-recovery-market.php), (last visited Feb. 16, 2026).

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and contribute about 63%<sup>5</sup> to the GDP<sup>6</sup>. This sector provides jobs to huge numbers of poor workers and forms a crucial part of urban employment, with vendors representing around 2% of city populations. Some recent studies and articles suggest that the number may be more than 1.5 crore<sup>7</sup> [15 million], forming almost 10% of the total urban workforce, and nearly 14%<sup>8</sup> of the urban non-agricultural informal employment. That shows that street vendors are not just individuals selling goods on the roadside, but a major backbone of city life and economy.

Because of such large numbers, if street vendors are suddenly evicted or removed from the streets, lakhs of families would lose their only source of income. The problem is not only economic but also linked to fundamental rights, as the right to livelihood is encompassed within the right to life under Article 21<sup>9</sup> of the Constitution. To solve their problems and safeguard their livelihood, Parliament passed a special legislation known as the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, popularly referred to as the Street Vendors Act, 2014.

In cities, the most common and visible part of the informal sector is the street vendor or the hawkker. Informal trade has helped greatly in reducing problems created by the migration of people from villages to cities<sup>10</sup>. This was also said in the Standing Committee Report on the Street Vendors Bill<sup>11</sup>. The Ministry of Housing and Urban

<sup>5</sup> Source : SEWA Bharat and Street Vendors in Delhi, August 2015 Report.

<sup>6</sup> GDP (Gross Domestic Product) is the total dollar value of everything a country makes (goods) and does (services) within its borders in a specific time, usually a year.

<sup>7</sup> <https://linksharing.samsungcloud.com/yenzXRQROg8f>

<sup>8</sup> [https://www.iimb.ac.in/turn\\_turn/street-vendors-policy-support-aid-recovery-market.php](https://www.iimb.ac.in/turn_turn/street-vendors-policy-support-aid-recovery-market.php) (last visited Feb. 20, 2026)

<sup>9</sup> Constitution of India – Article 21 (Protection of life and personal liberty: No person shall be deprived of his life or personal liberty except according to procedure established by law) [Indian Kanon] India Const. art. 21, available at <https://indiankanon.org/doc/1199182/> (last visited Feb. 16, 2026).

<sup>10</sup> Prabir Bhattacharya, *The Informal Sector and Rural to Urban Migration: Some Indian Evidence*, 21 *ECO. & POL. WKLY.* 1255, 1259 (1998).

<sup>11</sup> Report on 'The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bill, 2012, STANDING COMMITTEE ON URBAN DEVELOPMENT (2012-2013), available at <https://www.prsindia.org/uploads/media/Street%20Vendors%20Bill/SCR%20on%20Street%20Vendors%20Bill.pdf> (last visited Feb. 19, 2026).

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Poverty Alleviation reports that there are about 10 million street vendors in India. Major cities have the most vendors, Mumbai with about 2,50,000, Delhi with 2,00,000, Kolkata with more than 1,50,000 and Ahmedabad with 1,00,000<sup>12</sup>.

Street vending is a significant business activity and has huge economic value. A 2011 survey found that in the Bhadra market in Ahmedabad, where approximately 3,500 vendors and 1,400 shops work, the yearly business was about Rs. 95 crores (or US \$19 million)<sup>13</sup>. These street vendors cater to not just the needs of poor and middle-class consumers for reasonably priced goods and food but also provide gainful employment to migrants and the urban poor. They also support small-scale industries by marketing products made in household and cottage units. In practice, however, the reality is completely different. Many authorities and people consider street vendors to be encroachers or illegal occupants of public space. For this reason, street vendors often face sudden eviction drives, seizure of goods, harassment, demands for bribes, and lack of social security. The 2014 Act seeks to alter this situation by recognizing street vendors as workers and ensuring that, instead of viewing them as a nuisance, the State protects their rights and livelihoods through regulation.

## STATEMENT OF THE PROBLEM:

Street vendors constitute an integral part of the informal economy in India. With a view to providing legal protection to street vendors and ensuring that their livelihood is safe, the Government of India enacted the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. Despite being a legally binding legislation for the betterment of the condition of street vendors, the status of

<sup>12</sup> National Policy on Urban Street Vendors, Ministry of Hous. & Urban Poverty Alleviation (2004), <https://dcmsme.gov.in/Street%20Vendors%20policy.pdf>, (last visited 21 Feb, 2026)

<sup>13</sup> Alison Bown, Michal Lyons & Darshini Mahadevia, Street Vendors in Ahmedabad 19 (Cardiff University, Working Paper No. 2, 2012), [https://www.cardiff.ac.uk/cplan/sites/default/files/Law-rights-regulation\\_working-paper-2.pdf](https://www.cardiff.ac.uk/cplan/sites/default/files/Law-rights-regulation_working-paper-2.pdf) (last visited Feb. 21, 2026).

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vendors in several cities continues to remain uncertain. Forced removal, seizing of belongings, absence of licensing, among others, are common practices in several cities.

This clearly shows the existence of a wide discrepancy between the intentions of enacting such legislation and its implementation in real sense. Such a situation also shows the existing conflict between the interests of livelihood rights and urban governance. Against this backdrop, it becomes extremely important to understand if the provisions made under Street Vendors Act, 2014 have been implemented successfully and to what extent they have protected street vendors' rights and dignity as well as urban regulation requirements.

## LITERATURE REVIEW:

According to Bhushan (2023)<sup>14</sup>, although the law grants protection to street vendors against their exploitation, there are yet more problems that hinder the proper operationalization of the Street Vendors Act. The police and local bodies at times misuse their powers in their self-interest, causing detriment and violation of rights to street vendors. The main cause of increased harassment to street vendors is because of a lack of education, lack of awareness, and migration.

Manucha & Singh (2019)<sup>15</sup> have elucidated that street vendors play an important part in the urban supply chain system, but in return they are harassed, humiliated, and threatened with confiscation by police and municipal authorities; they also have little access to government welfare schemes. They are always at risk of being

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<sup>14</sup> Bhushan, B. (2023). An analysis of lacunae in the Street Vendors Act, 2014 and obstacles to street vendors with special reference to district Ludhiana. *Indian Journal of Applied Research*, 13(1), 1-2.

Available at: world wide journals <https://share.google/LLasibJsm4YwSsrHr>

<sup>15</sup> Manucha, T., & Singh, K. (2019). A shop without a name: A critical analysis of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. *Journal of Emerging Technologies and Innovative Research*, 6(3), 33-44. Available at: <https://www.jetir.org/papers/JETIR1903B06.pdf>

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removed from their place, especially during elections, big events, or when the beautification of the city is done.

According to Kaur and Kaur (2017)<sup>16</sup>, the vending work plays a very important role among poor, unemployed people. However, they found that street vendors do not get access to easy finance and credit facilities and also most of the vendors work without a fixed place. Therefore, they suggested that the government, credit institutions, and law officers have to create a better system to facilitate the loan acquisition and support for vendors.

According to Kumar (2015)<sup>17</sup>, street vendors faced many problems, including no easy access to credit, lack of infrastructure, low social security, and fewer resources. Because of that, they take loans from local money lenders who charge very high interest. Sometimes this puts vendors into debt traps.

According to Mathur (2014)<sup>18</sup>, the National Policy on Urban Street Vendors estimates that street vendors comprise approximately 2% of a city's population. Street markets are also convenient places for vendors to work at flexible times and sell their items at places of their choice.

According to Sundaram, 2008<sup>19</sup>, street vendors in most Indian cities are in remarkably large proportions and have no alternative means of livelihood. Thus, the government came up with the National Policy for Urban Street Vendors in the year

<sup>16</sup> Kaur, H., & Kaur, S. (2017). A study on quality of work life of street vendors of Khanna. *Biz and Bytes*, 8(1), 59-63.

<sup>17</sup> Kumar, P. (2015). Socio-economic features of street vending enterprises in Kerala. *International Journal of Management and Commerce Innovations*, 3(1), 750-756.

<sup>18</sup> Mathur, N. (2014). The Street Vendors Bill: Opportunities and challenges. *Economic & Political Weekly*, XLIX(10), 22-25.

[https://www.researchgate.net/profile/NitaMathur/publication/290286110\\_The\\_street\\_vendors\\_bill\\_opportunities\\_and\\_challenges/links/60aa1aaf299bf1031fc1cb01/The-street-vendors-bill](https://www.researchgate.net/profile/NitaMathur/publication/290286110_The_street_vendors_bill_opportunities_and_challenges/links/60aa1aaf299bf1031fc1cb01/The-street-vendors-bill)

<sup>19</sup> Sundaram, S. S. (2008). National policy for urban street vendors and its impact, *Economic and Political Weekly*, 43(43), 22-25. <https://www.epw.in/journal/2008/43/commentary/national-policy-urban-street-vendors-and-its-impact.html>, (last visited at 14 Feb, 26)

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2004 as means of protection for them to reduce harassment by police and local authorities.

E. P. Akbar, C. Destria (2021)<sup>20</sup> studied the importance of public spaces, such as water front areas, for street vending activities. The study concluded that street vendors can get better opportunities to fulfill their economic needs by managing such spaces in an appropriate manner.

Samarpita Koley, Parikshit Chakraborty (2018)<sup>21</sup> conducted a study on the socio-economic conditions of street vendors in Jamshedpur. The study concluded that street vendors are facing various difficulties in their life, such as lower income, job insecurity, and lack of basic facilities. These issues are affecting their standard of living.

Manoj Panwar (2015)<sup>22</sup> conducted a study on the issues faced by street vendors in Sonipat city. The study concluded that street vendors are facing various issues in their life, such as lower income, harassment by local authorities, lack of basic facilities such as shelter, storage, etc. It was recommended that street vendors should be recognized in the urban development process.

## OBJECTIVES OF THE STUDY:

The following are the objectives of the study:

1. To assess the status of implementation of the Street Vendors Act 2014 in India.

<sup>20</sup> Estar Putra Akbar, C. Destria (2021). The Concept of Street Vendors Arrangement in the Waterfront (2021), ResearchGate,

[https://www.researchgate.net/publication/360861375\\_Women\\_and\\_Places\\_Female\\_Street\\_Vendors\\_Territorial\\_Identity\\_and\\_Placemaking](https://www.researchgate.net/publication/360861375_Women_and_Places_Female_Street_Vendors_Territorial_Identity_and_Placemaking)

<sup>21</sup> Samarpita Koley, Parikshit Chakraborty (2018) Socio-Economic Condition among The Women Street Vendors: Anthropological Study on a Street at Jamshedpur, Volume -6, Issue -4, Int'l J. Reviews & Research in Social Sciences (2018), <https://share.google/OKOMEgnnUX10EG6tj>

<sup>22</sup> Manoj Panwar (2015), Issues and Challenges Faced by Vendors on Urban Streets: A Case of Sonipat City, India, 3(2) Int'l J. Eng'g Tech. Mgmt. & Applied Sci. (2015), <https://www.scribd.com/document/724530979/ISSUES-AND-CHALLENGES-FACED-BY-VENDORS-ON-URBAN-STREETS-A-CASE-OF-SONIPAT-CITY-INDIA?>

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2. To comprehend the weakness of the Street Vendors Act 2014.
3. Analysis of the main provisions of the Street Vendors Act, 2014 in the light of fundamental constitutional rights of right to livelihood, equality and freedom to practice any profession.

## **RESEARCH QUESTIONS:**

This research focuses on certain important research questions based on the effectiveness of the Street Vendors Act, 2014. It is designed to find out how successful the Act has been in accomplishing the purpose for which it was made and whether the Act has actually helped the street vendors gain a better legal and social standing in India. This study also aims to determine the difference between the law and its implementation when it comes to issues such as eviction, licensing, and safeguarding from arbitrary acts.

The role of the judicial decisions in defining the rights of the street vendors will also be determined. This research further raises the issue of how legal and policy reforms can help improve the working of the Act.

## **METHODOLOGY:**

The research method for this study has been based on a doctrinal and socio-legal approach by digging into the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 from a legal and social point of view. A Descriptive and analytical method has also been used in this research . The research has not only highlighted the main provisions of the Street Vendors Act, 2014 but has also analysed the effectiveness of the legislation and its proper implementation.

The research has been based on secondary research methods by relying on legislation, related rules, constitutional provisions, government reports, research papers, journal articles, academic writings and official portals such as India Code, PRS Legislative Research, NASVI, etc. Primary data such as relevant case laws and

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court judgments have also been analysed to understand the judicial approach towards the rights and protection of street vendors.

Since street vending is a legal and social-economic issue for the vendors, the research has also taken into account the conditions of the street vendors from a social and economic point of view. The main purpose of the research is to analyze and to check whether the Street Vendors Act, 2014 is a Success or a Failure.

## STREET VENDORS ACT, 2014: AN ANALYSIS:

The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 replaced the draft bill entitled Street Vendors Bill, 2011. It was only a draft and had limited clarity on the issues of vendor coverage and town vending committees (TVCs). The Bill 2011 did not provide any mechanisms for grievance redressal by street vendors. However, compared with the 2011 Bill, the 2014 Act presented a much fuller and legally binding framework. The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 was implemented on 4<sup>th</sup> of March, 2014 to legalise and regulate street vending as a profession for those who have 'no other means of livelihood'<sup>23</sup>. Its provisions for protection, participation in decision-making, and regulation of street vending regarding vending zones, licensing, and grievance redressal were far stronger.

Among all, the most important Act for safeguarding street vendors' rights is the 2014 Act on Street Vendors (Protection of Livelihood and Regulation of Street Vending). The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, is a central legislation that is aimed at protecting the livelihood of street vendors and also to regulate street vending activities in urban areas. The legislation is also known by the name Act No. 7 of 2014. The legislation was sanctioned by the

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<sup>23</sup> Chaudhari, M. (2014). 'Invisible' women street vendors: Lacunae in the Street Vendors Act, 2014. *Christ University Law Journal*, 3(2), 25-37, AND *Street Vendors Act, 2014: Lacunae of Gender Perspective*, Volume 51, Issue 4, Page 180-190, 2025; Article no.AJESS.132382 ISSN: 2581-6268, (last visited 18 Feb, 26).

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Parliament of India in February 2014. The legislation also received the President's assent on the 4th of March, 2014. The legislation came into effect from the 1st of May, 2014, after a notification by the Central Government. The legislation is applicable to the entire territory of the nation including the State of Jammu and Kashmir as of the time it came into effect. The legislation is divided into 8 chapters and 38 sections. The legislation aims to recognize the legitimate activities of the street vendors and also to protect the interests of the public regarding the use of public space.

It also aims at regulation and control in street vending by providing identity cards, vending licenses, and other safeguards, along with a specified area for running their business. Furthermore, the Act calls for the establishment of Town Vending Committees (TVCs), which are tasked with ensuring that street sellers are provided with designated vending areas and are protected from eviction. Local implementation of the requirements under the Act rests wholly upon TVCs. However, despite this legal framework, the implementation is not always uniform, and many sellers continue to face harassment, eviction, and litigation.

## ***Street Vendors Act, 2014 - Purpose and Background:***

The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, was enacted with the primary aim of safeguarding the rights and livelihood of urban street vendors and regulating vending activities across cities. The long title itself says that the Act is about protecting the rights of urban street vendors and regulating street vending. Therefore, the two balanced goals of the law are: Protection - to stop harassment and unlawful eviction of vendors; Regulation - to organize vending in a planned manner. Before this law, street vendors were often treated as encroachers, commonly suffering from eviction, harassment, confiscation of goods, and bribe demands. The courts gradually recognised their right to livelihood by interpreting Constitutional provisions, which developed a legal framework that later grew into the 2014 Act.

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## *Two Main Objectives of the Act:*

1. Protection of livelihood rights of vendors from arbitrary eviction or harassment.
2. Regulation and planning of street vending in an organized manner.

## *Who is a "street vendor"?:*

Section 2(1)(l) of the Act defines street vendor in very broad terms:

- Any person engaged in vending of goods, wares, food items or providing services to the general public in a street, lane, footpath, pavement, public park or any other public place.
- It includes stationary vendors (fixed place) and mobile vendors (moving from place to place).

So, a pani-puri seller on one corner, and a balloon seller moving around – both are covered.

There are three basic categories of the street vendors under the act, these are :

- Stationary Vendors<sup>24</sup>: Who carry out vending on a regular basis at a specific place or location, with implicit or explicit consent of the authorities.
- Peripatetic Vendors: Who carry vending activities on their foot.
- Mobile Vendors<sup>25</sup>: Who move from one place to another place for vending their goods or services on bicycles or on motorized vehicles.

## *Aim and Philosophy of the Act:*

The core idea behind the Act is simple: to keep the vendors thriving in the city, not to drive them out. It treats street vendors as real workers who deserve dignity, safety, and proper spaces to do their trade. It aims for a balance between people's

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<sup>24</sup> Section 2(1)(k) "stationary vendors" means street vendors who carry out vending activities on regular basis at a specific location.

<sup>25</sup> Section 2(1)(d) "mobile vendors" means street vendors who carry out vending activities in designated area by moving from one place to another place vending their goods and services.

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livelihoods and sensible urban planning. In short, vendors must be able to earn but in an orderly and regulated way.

Town Vending Committee (TVC)<sup>26</sup> - The Heart of the Act

The Town Vending Committees which is defined under *Section 2(1)(m)* of the Street Vendor Act, constituted under Sections 22-24 at the municipal level. For the first time, these bodies formalize vendor-related decision-making about public vending spaces.

Who constitutes a TVC

- Representatives from street vendors, the municipality, police, NGOs, among others.
- The membership rules, in particular, include:
  - 40% must be street vendors
  - At least one-third of the vendor members must be women

What TVCs do

- 2.1 Survey current vendors
- 2.2 Issuance of Vending Certificates (legal identity)
- 2.3 Establishment and control of vending zones
- 2.4 Manage cancellations or suspensions of certificates
- 2.5 Resolve disputes relating to relocation and vending sites

***Surveying vendors and issuing of Certificates:***

*Section 3*<sup>27</sup> stipulates a vendor survey once every five years. No one is to be evicted prior to the completion of the survey and certification process. Following the survey,

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<sup>26</sup> "Town Vending Committee" means the body constituted by the appropriate Government under section 22 of the Street Vendors (Protection Of Livelihood And Regulation Of Street Vending) Act, 2014

<sup>27</sup> Survey of street vendors and protection from eviction or relocation.

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Section 4<sup>28</sup> provides that eligible vendors are to be given a Certificate of Vending, thereby legally recognizing them and reducing harassment, and also clearly demarcating the vending area, whether mobile or fixed.

The marginalised groups- SCs/STs/OBCs/Women/Persons with disabilities and war widows-get priority over others when there are more vendors than the space can accommodate, so that the principle of social justice is upheld.

### ***Vending zones and urban space planning:***

Cities should be divided into vending zones<sup>29</sup> based on planning and ground surveys.

### ***Types of zones:***

1. No-vending zones: near hospitals, schools, or narrow streets
2. Limited hours/days within restricted vending zones
3. Vending/Hawking zones - places where selling is allowed

This framework prevents arbitrary evictions and defines where vending can legally occur. Implementation often falls short in many cities.

### ***Protection against eviction and removal:***

The Act protects vendors against summary evictions:

-Section 3(3)<sup>30</sup>: No evictions before the survey and certification

- Section 18<sup>31</sup>: Relocation only after notice, a hearing, and a suitable alternative site

<sup>28</sup> Issue of certificate of vending.

<sup>29</sup> Section 2(1)(n) of the act talks about "vending zone" means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending activities and providing services to the general public.

<sup>30</sup> No street vendor shall be evicted or, as the case may be, relocated till the survey specified under sub-section (1) has been completed and the certificate of vending is issued to all street vendors.

<sup>31</sup> Relocation or eviction of street vendors

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This reflects the spirit of *Olga Tellis*-that livelihoods cannot be taken away without due process and a rehabilitation plan in place. Yet, unplanned eviction drives are being carried out in many cities for beautification or clearance..

## RIGHTS AND DUTIES OF STREET VENDORS UNDER THE ACT:

### (a) Rights

The Act enumerates several key rights of street vendors:

1. Every street vendor shall have the right to carry on the business of street vending activities in accordance with the terms and conditions mentioned in the certificate of vending<sup>32</sup>.
2. They may sell within the zone shown on their certificate.
3. Certified street vendors relocated under Section 18 have a right to get a new vending site determined by local authority and Town Vending Committee<sup>33</sup>.
4. They are allowed to avail of social security measures like insurance and credit, as notified.
5. Street vendors have the right to carry on their business peacefully if they follow the conditions of their vending certificate. Authorities or police cannot harass or stop them from working legally<sup>34</sup>.
6. They have the right to be heard before any action aimed at removing them, canceling certificates, or taking similar steps.
7. They can be represented on the Town/Vendor Committee (TVC).

### (b) Duties

Vendors also bear responsibilities, such as:

- Keeping their vending zones and nearby area clean<sup>35</sup>.

<sup>32</sup> Section 12(1) of the Street Vendor Act, 2014

<sup>33</sup> Right of street vendor for a new site or area on relocation (Section 13 of Street Vender Act, 2014)

<sup>34</sup> Section 27 - Prevention of harassment by police and other authorities.

<sup>35</sup> Section 15 : Maintenance of cleanliness and public hygiene.

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- Time-sharing vendors must remove goods daily after their allotted period<sup>36</sup>.
- Vendors must preserve civic amenities and public property without damage<sup>37</sup>.
- Vendors must pay periodic maintenance charges set by local authority<sup>38</sup>
- No blocking traffic or emergency exits.

Further, the Act also provides that vendors must follow Safety and health standards, particularly in case of food vendors. A certificate can be suspended or revoked on repeat offenses (Sections 10-13). So, what the law intends is a balancing between rights (what the vendors may do) and duties (what they must do).

## CONSTITUTIONALITY AND INTERNATIONAL PERSPECTIVE OF THE STREET VENDOR ACT AND RECENT CASELAWS:

### CONSTITUTIONAL AND JUDICIAL FOUNDATION: RIGHT TO LIVELIHOOD:

The Act stems from the view that street vending falls under the right to livelihood, which is part of the Right to Life enshrined in Article 21<sup>39</sup> of the Constitution of India. In the landmark case *Olga Tellis v. Bombay Municipal Corporation, 1985*<sup>40</sup>, the Supreme Court maintained that right to life includes the right to livelihood and settlement of pavement dwellers without rehabilitation amounts to deprivation of life itself. The Court further clarified that poor vendors, who were trying to survive, could not be treated as trespassers; they were citizens of this country.

<sup>36</sup> Section 14 : Duty of street vendors.

<sup>37</sup> Section 16 : Maintenance of civic amenities in vending zone in good condition.

<sup>38</sup> Section 17 : Payment of Maintenance charges.

<sup>39</sup> Protection of life and personal liberty: No person shall be deprived of his life or personal liberty except according to procedure established by law.

<sup>40</sup> *Olga Tellis & Ors. v. Bombay Municipal Corporation & Ors.* (Supreme Court of India, July 10, 1985), discussed in *Olga Tellis Case 1985*, Drishti IAS, <https://www.drishtiiias.com/daily-news-analysis/olga-tellis-case-1985> (last visited March. 13, 2026).

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*Tamil Nadu Street Vendors v. The Commissioner, Madras High Court (2018)*<sup>41</sup> : In this case , the street vendors of Chennai approached the Madras High Court against the Chennai Corporation's attempt to evict them from their vending places. The street vendors claimed that they were being evicted without any proper legal reason or provision of an alternative place to continue their livelihood. The street vendors further claimed that the actions of the corporation were against their right to livelihood, which is protected under Article 21 of the Constitution of India. They also claimed that the corporation was not considering the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

The main issue that the Court had to deal with was whether the eviction of the street vendors by the corporation was legal or not. The Madras High Court ruled in favour of the street vendors and held that street vendors are part of the right to livelihood protected under Article 21 of the Constitution of India.

Street vending had further been recognized under Article 19(1)(g) - Right to trade or profession. In judgments like *Bombay Hawkers' Union and Maharashtra Ekta Hawkers Union v. Municipal Corporation of Greater Mumbai*<sup>42</sup>, the Supreme Court held<sup>43</sup> that while a right to trade by vendors was indeed a fundamental right, that too was subject to reasonable restriction in the interest of the public - be it because of traffic control, cleanliness or public safety. No vendor can claim an absolute right of occupying any particular spot; his livelihood has to be protected with smooth movement and urban management.

In *Sodan Singh & Ors. v. New Delhi Municipal Committee & Ors.*,<sup>44</sup> it was held that right to health is a part of the right to of street trading is a basic right but liable to

<sup>41</sup> Tamil Nadu Street Vendors v. The Commissioner, W.P. No. 25181 of 2017 (Madras H.C. Jan. 30, 2018), available at <https://www.casemine.com/judgement/in/5acdeb5d18a6816040129ed4/ampv>

<sup>42</sup> *Bombay Hawkers' Union v. Bombay Mun. Corp.*, AIR 1986 SC 180, (1985) 3 SCC 228. <https://indiankanoon.org/doc/231387/> (last visited March 23, 26).

<sup>43</sup> Rights Of Street Vendors In India, [www.ijcrt.org](http://www.ijcrt.org), IJCRT | Volume 12, Issue 7 July 2024 | ISSN: 2320-2882

<sup>44</sup> MANU/SC/0521/1989.

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reasonable regulation. But it is responsibility of state to provide rights to street vendors under Article 19<sup>45</sup>.

Even in the matter of *Nayar Rice Mills vs. Teekappa*<sup>46</sup>, there was a holding that despite this thought, citizens possess choose the business but with the right exercised within reasonable constraints by the Executive in the interest of public interests<sup>47</sup>.

Article 38<sup>48</sup> - This Article helps in enhancing the well-being of the citizens by establishing and promoting a social structure wherein social, economic, and political justice permeates all aspects of life as a nation. Furthermore, this Article attempts to narrow down the gap of income levels and attempts to eliminate discrepancies of status, facilities, and opportunities amongst persons residing in various parts of the country and persons pursuing different vocations as well. This article again re-instates what is mentioned in the Indian Preamble of the Indian Constitution<sup>49</sup>.

Article 39<sup>50</sup> is followed by Article 38, which relies on Article 39 and centers on essential components in economic justice. Article 39(A) states that it is obligatory on the State to provide that both men and women shall have equal access to sufficient facilities for earning their living.

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<sup>45</sup> A Critical Analysis Of The Street Vendors (Protection Of Livelihood And Regulation Of Street Vending) Act, 2014, [www.jetir.org](http://www.jetir.org), 2019 JETIR March 2019, Volume 6, Issue 3

<sup>46</sup> AIR 1971 SC 246

<sup>47</sup> A Shop Without Name: A Critical Analysis Of The Street Vendors (Protection Of Livelihood And Regulation Of Street Vending) Act, 2014, [www.jetir.org](http://www.jetir.org) (ISSN-2349-5162), 2019 JETIR March 2019, Volume 6, Issue 3 (last visited 27 March, 26)

<sup>48</sup> State to secure a social order for the promotion of welfare of the people.

<sup>49</sup> A Shop Without Name: A Critical Analysis Of The Street Vendors (Protection Of Livelihood And Regulation Of Street Vending) Act, 2014, [www.jetir.org](http://www.jetir.org) (ISSN-2349-5162), 2019 JETIR March 2019, Volume 6, Issue 3 (last visited 27 March, 26)

<sup>50</sup> Certain principles of policy to be followed by the State

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Article 41<sup>51</sup> - This Article confers a right to work. The right to work entails the welfare state's obligation to ensure the availability of employment opportunities for all its citizens<sup>52</sup>.

Seventh Schedule of the Constitution<sup>53</sup> - There is no specific entry in the Seventh Schedule of the Constitution of India that deals with the matter of street vendors for the Union and the State (or both). But Entry 23 of List III<sup>54</sup> includes street vendors implicitly. This states: "Social security and social insurance; employment and unemployment."

Section 33<sup>55</sup> of the Act, 2014 declares that "if a State has made a law relating to the protection of the livelihood of street vendors and there is a conflict between the State Act and the Central Act either in the aggregate or in parts, then the Central Act shall prevail over the State Act."

There is, however, a great need to make an Entry in the Concurrent List of the Indian Constitution, which mentions "for relief of street vendors or hawkers".

## INTERNATIONAL DECLARATION ON STREET VENDER:

The signing of the Bellagio International Declaration on Street Vendors in November 1995 in Bellagio, Italy, during the first meeting of the International Alliance of Street Vendors, was a big step for street vendors. The representatives of street vendors from 11 cities on 5 continents came together for this first meeting of the International Alliance of Street Vendors in Bellagio. This declaration was extremely important for

<sup>51</sup> Right to work, to education and to public assistance in certain cases

<sup>52</sup> Supra 57, [www.jetir.org](http://www.jetir.org) (ISSN-2349-5162), JETIR1903B06, 2019 JETIR March 2019, Volume 6, Issue 3 (last visited 27 March, 26)

<sup>53</sup> These constitutional provisions have been inspired from the Research paper - A Shop Without Name: A Critical Analysis Of The Street Vendors (Protection Of Livelihood And Regulation Of Street Vending) Act, 2014 (March 2019, Volume 6, Issue 3), available at <http://www.jetir.org> (ISSN-2349-5162).

<sup>54</sup> Entry 23 in the Concurrent List (List III, Seventh Schedule) of the Indian Constitution deals with "social security, social insurance, employment, and unemployment." This lets both Centre and states make laws on welfare like pensions, maternity benefits, and job/unemployment programs.

<sup>55</sup> Act to have overriding effect.

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the street vendors' movement at the global level<sup>56</sup>. It called for governments to make proper laws and national policies for street vending, and to include hawkers as part of urban development and better living standards<sup>57</sup>.

After the Bellagio Conference, the street vendors and their associated organizations in India felt the need to have a strong platform to raise their issues. Thus, in September 1998, the National Association of Street Vendors of India (NASVI) was formed. Ever since the formation of NASVI, it has played an important role in bringing about a change in the attitudes of people as well as governments towards street vendors in the country<sup>58</sup>.

In fact, in 2002 an international group for street vendors, called StreetNet<sup>59</sup>, was started in Durban. It was based upon the ideas of the Bellagio Declaration<sup>60</sup>. The group grew especially strong in Africa, where it worked with many governments, NGOs, and research centers to create policies and laws that help improve the social and economic rights of street vendors and hawkers.

## RECENT CASE LAWS:

1. *Prabhat Sharma v. Municipal Corporation of Delhi* – 2024<sup>61</sup>

<sup>56</sup> See generally Winnie Mitullah, Street Vendor and informal trading: Struggle for the right to trade, PAMBAZUKA NEWS (Jun. 1, 2006), <https://www.pambazuka.org/en/category/comment/34802>

<sup>57</sup> The Bellagio International Declaration of Street Vendors, 1995 available at <http://www.nasvinet.org/userfiles/file/BELLAGIO%20INTERNATIONAL%20DECLARATION%20OF%20STREET%20VENDORS.pdf> (last visited March. 11, 2026)..

<sup>58</sup> Shalini Sinha and Sally Roever, Street Vendors in India: Towards Recognition of an Economic Activity, in Women in Informal Employment: Globalizing and Organizing (WIEGO) Policy Brief (Urban Policies) No. 2 (2011), available at [https://www.wiego.org/wp-content/uploads/2019/09/Sinha\\_WIEGO\\_PB2.pdf](https://www.wiego.org/wp-content/uploads/2019/09/Sinha_WIEGO_PB2.pdf)

<sup>59</sup> StreetNet is primarily StreetNet International, a global alliance of member-based organizations for informal economy workers like street vendors, hawkers, and market traders, aiming to improve their rights, working conditions, and economic lives through organizing, advocacy, and policy dialogue.

<sup>60</sup> Streetnet International Launch Report, (Streetnet Steering Committee, 2002), <http://www.streetnet.org.za/docs/reports/2002/en/launchrep.pdf>, (last visited 17 March, 26)

<sup>61</sup> *Prabhat Sharma v. Municipal Corporation of Delhi*, W.P.(C) 3570/2024 (Del. H.C. Apr. 30, 2024), available at, <https://www.casemine.com/judgement/in/66589c17761b2b5bb6260153/amp>

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This case is related to the seizure and confiscation of goods of street vendors by the Municipal Corporation of Delhi. In this case, it was stated by the petitioner that the Municipal Corporation of Delhi took such action without following the legal procedure, which was laid down in the Street Vendors Act of 2014. It was held by the Delhi High Court<sup>62</sup> in this case that street vendors cannot be taken away or deprived of their goods in an arbitrary manner. It is very clear from this case law that street vendors are entitled to the legal rights which are provided under law.

## 2. *Nagpur Hawkers Matter / Sitabuldi Eviction Case (2025)*<sup>63</sup>

This case was heard by the Bombay High Court, Nagpur Bench. The issue involved was the eviction of street vendors from the Sitabuldi area of Nagpur. The Nagpur Municipal Corporation had removed all the street vendors from the above-mentioned area. The petitioners in this case are street vendors, and they had valid licenses. The street vendors, even though they had valid licenses, were removed from the hawking zone. The Bombay High Court, Nagpur, took this issue very seriously. The issue that was of concern to the Bombay High Court, Nagpur, was the action taken by the Nagpur Municipal Corporation. It was also observed that, in previous judgments, the rights of even licensed street vendors had been considered. This case is significant in the sense that street vendors, even though they had valid licenses, have been removed from the hawking zone.

## 3. *Kerala High Court – Kollam Street Vendors Eviction Case (2025)*<sup>64</sup>

<sup>62</sup> <https://aniruddha-constitutionofindia.blogspot.com/2010/05?m=1> (last visited 30 March, 2026)

<sup>63</sup> HC Pulls Up NMC for Removing Licensed Hawkers in Sitabuldi, Times of India (July 26, 2025), available at,

[https://timesofindia.indiatimes.com/city/nagpur/hc-pulls-up-nmc-for-removing-licensed-hawkers-in-sitabuldi/amp\\_articleshow/122983035.cms](https://timesofindia.indiatimes.com/city/nagpur/hc-pulls-up-nmc-for-removing-licensed-hawkers-in-sitabuldi/amp_articleshow/122983035.cms)

<sup>64</sup> Mahadevi v. Sub-Divisional Magistrate/Revenue Divisional Officer, 2025 Ker 11372 (Ker. H.C. Feb. 17, 2025), discussed in Vending Zones Not Finalized For Their Relocation: Kerala HC Quashes Eviction Notice Issued Against Street Vendors By Kollam Corporation, Verdictum, available at <https://www.verdictum.in/amp/court-updates/high-courts/kerala-high-court/removing-street-vendors-safety-protocols-2025-ker-11372-mahadevi-v-sub-divisional-magistraterenue-divisional-officer-1568507>

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In this case, street vendors in Kollam, Kerala, contested the eviction notices issued by the municipality to them. The street vendors claimed that they were being evicted without the finalization of proper vending zones for them. The Kerala High Court held in favor of the street vendors and asserted that such eviction is not in line with the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act of 2014. The High Court made it clear that street vendors cannot be evicted and then rehabilitated. This case is relevant because it confirms that street vendors cannot be displaced and regulated without adhering to the law and being fair to them.

4. *Amar Kumar Sonkar v. Lucknow Municipal Corporation - 2026*<sup>65</sup>

In this case, street vendors in the Aminabad area of Lucknow came to the court and stated that they were being taken away from their areas of business. The street vendors stated that the municipal corporation was trying to take them away despite the fact that the process of surveying them and giving them the certificates of vendors had yet to be completed. The Allahabad High Court stated that street vendors in business should not be taken away until the process of surveying them is over and certificates of vending are issued to them. However, street vendors can be taken away if there is any obstruction in public movement or in the traffic. This case is of great importance because it provides protection to street vendors from being taken away in such a manner and strengthens the provisions of the Street Vendors Act of 2014.

5. *Gujarat High Court – Bhadra Complex Street Vendors Case (2026)*<sup>66</sup>

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<sup>65</sup> Amar Kumar Sonkar v. Lucknow Municipal Corporation, order reported in Allahabad High Court Restrains Eviction of Street Vendors in Lucknow Until Survey and Vending Certificates Are Finalised, Law Trend (Feb. 5, 2026), available at,

<https://lawtrend.in/allahabad-high-court-restrains-eviction-of-street-vendors-in-lucknow-until-survey-and-vending-certificates-are-finalised/>

<sup>66</sup> Gujarat HC Directs AMC to Place 586 Certified Street Vendors at Bhadra Complex by March 21, Gujarat Samachar (Mar. 14, 2026), available at

<https://english.gujaratsamachar.com/news/gujarat/gujarat-hc-directs-amc-to-place-586-certified-street-vendors-at-bhadra-complex-by-march-21-70520756760.html>

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In this case, the Gujarat High Court ordered the Ahmedabad Municipal Corporation to allow the 586 street vendors in the vending zone of the Bhadra Complex to carry on their activities. This is because the Court held that the eviction of street vendors in the area did not comply with the law, as it was in violation of the Street Vendors Act of 2014. The importance of this case is in its emphasis that street vendors who have already been certified should not be evicted without cogent reasons.

6. *Bhagwan Das Saini v. Government of NCT of Delhi* (2026)<sup>67</sup>

In this case, the High Court of Delhi addressed the rights of a street vendor in Delhi who claimed protection under the street vending policy but faced interference from the government. The High Court of Delhi held that before taking any action against a street vendor, the government must verify the authenticity of the street vendor and the street stall. The High Court of Delhi made it clear that any action by the government cannot be undertaken casually without verifying the rights of the street vendors. This case is relevant because it confirms that even street vendors in regulated areas have the right to be respected.

7. *Supreme Court – Bhadra Plaza Street Vendors Matter* (2026)<sup>68</sup>

This case came up as a result of a Gujarat High Court ruling that ordered the reinstatement of certified street vendors in the Bhadra Plaza area in Ahmedabad city. However, the case eventually landed in the Supreme Court of India, which ordered a status quo and clarified that no street vendor should operate on the carriageway until further orders. This case is significant in the sense that it illustrates how courts

<sup>67</sup> *Bhagwan Das Saini v. Government of NCT of Delhi*, W.P.(C) 15701/2025 (Del. H.C. Feb. 12, 2026), discussed in Delhi HC Rules on Street Vendor Rights in *Bhagwan Das Saini vs GNCTD*, Lekha News, available at

<https://www.lekhanews.in/judgment/del-bhagwan-das-saini-vs-government-of-national-capital-mt-odt19e/>

<sup>68</sup> *Ahmedabad Municipal Corporation v. Self Employed Labour Organisation* (title as reported), order discussed in *Bhadra Plaza Street Vendors: Supreme Court Steps in to Stay High Court Order on Ahmedabad's 'Natural Market'*, Indian Express (Mar. 2026), available at

<https://indianexpress.com/article/cities/ahmedabad/no-street-vendors-shall-be-allowed-sc-orders-status-quo-at-bhadra-plaza-10593658/lite/>

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in India have acknowledged the livelihood rights of street vendors; however, these rights are subject to balance.

The above cases clearly explain how various courts in India are attempting to strike a balance between the right to livelihood of these vendors and public order/traffic management/urban planning. At the same time, these cases also highlight how effectively implementing the 2014 Act is a major challenge in itself.

## IMPLEMENTATION STATUS - WHAT DO REPORTS AND DATA INDICATE?:

On paper, the Street Vendors Act, 2014 is progressive, but in practice, its implementation has been highly variable and mostly weak across India. Various reports indicate the lag between what the law promises and actual practice. For example, the Standing Committee on Urban Development, 2021, outlined significant gaps: many States and Union Territories had not notified the requisite Rules and Schemes under Sections 36 and 38. Where schemes exist, plans for street vending were drawn up in only about 31% of the towns, and only nine states have established GRC<sup>69</sup>s. All in all, the adoption of the Act remains partial and slow. Reports from civil society describe much of the implementation as still theoretical. Surveys tend to be outdated or incomplete; Town Vending Committees often don't function or convene, and vending zones are rarely marked.

Take, for example, Ludhiana, which counted 8,989<sup>70</sup> vendors and 64 zones; the subsequent counts increased the number of vendors to more than 21,000, but by that time, no functional zone was in place and the TVC had not met for over two years. Similarly, Nagpur recorded around 50,000 street vendors, but only 1,225 licenses

<sup>69</sup> Section 20 - (Grievance Redressal Committees) Redressal of grievances or resolution of disputes of street vendors

<sup>70</sup> Stall spaces not marked, vendors stall Ludhiana streets, Times of India, visited 18 March 26, <https://timesofindia.indiatimes.com/city/ludhiana/stall-spaces-not-marked-vendors-stall-ludhiana-streets/articleshow/124220092.cms#:~:text=Residents%20are%20voicing%20increasing%20frustration%20for%20comment%20on%20the%20matter.&text=The%20current%20crisis%20follows%20years.no%20updates%20on%20its%20progress.>

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were issued; 43 vending zones were approved, but none was demarcated on the ground. These trends indicate that municipal bodies often treat the Act as an optional one and, therefore, the vendors remain without protection despite the law.

Numbers versus reality, even the PM-SVANidhi scheme, intended to reach around 50 lakh<sup>71</sup> vendors nationwide, faltered, as per data with the government, only 18 lakh vendors were identified and close to 13 lakh cards were issued. A chunk of vendors falls outside the formal system, making them prone to eviction, harassment, and extortion sans certificates. The benefits flow to those who are registered. COVID-19, PM-SVANidhi, and the Act The street vendors lost their entire income during the COVID-19 lockdown. In response, the Centre launched collateral-free micro-credit loans under the PM-SVANidhi in June 2020. But that depended upon verified vendor identification for which proper surveys were required under the 2014 Act. When such surveys were not conducted, several genuine vendors did not have access to the loans. A strong Central scheme was thus weakened by weak implementation of the Act at the local level. This is essentially how reforms succeed when local governance is active.

## *Is the Act Successful? – A Socio-Legal Review:*

The success or failure of the Street Vendors Act should be gauged in relation to realities on the ground, data, and field examples. If one is being fair, the conclusion would be that the Act is theoretically strong but partly successful in actual practice. There are visible achievements and also serious shortcomings.

A) Positives-why we can call it a partial success.

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<sup>71</sup>PM SVANidhi 2.0, <https://www.drishtiiias.com/daily-updates/daily-news-analysis/pm-svanidhi-2-0>, (last visited March. 13, 2026).

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Not all is bad news. Some cities show that proper implementation is possible. Kochi in Kerala did a comprehensive survey of 2,351<sup>72</sup> vendors, identified 69 vending zones, framed vending bylaws and even distributed standard kiosks to provide legal vending space. Similarly, Jaipur did identify 27 vending zones while Vijayawada did experiment with organised eatstreetstyle vending, complete with hygiene and timing regulations. These examples show that when local bodies take ownership, the Act can ameliorate livelihoods and bring order to markets.

1. Legal Recognition of Street Vendors: Vendors shall no longer be treated as encroachers. The law recognizes street vending as a legitimate livelihood activity that is linked to the right to livelihood under Article 21 and freedom to trade under Article 19(1)(g).
2. Participatory Governance Through TVCs: Under the Act, the 40% representation accorded to vendors in Town Vending Committees ensures representation for those directly affected.
3. Due process in eviction: It should be preceded by notice, hearing, and preferably relocation to avoid arbitrary displacement as per the principles of *Olga Tellis*.
4. Access to Social Security and Credit: Linkages to PM-SVANidhi also help in facilitating financial inclusion, digital payment, and access to formal loans that help women and OBC vendors.
5. Model for inclusive urban planning: This, in turn, will prompt smart cities to accommodate these informal workers rather than pushing them out of the cities.

## Progress Noted in Implementation

- 30 States/UTs have notified Rules, creating a legal framework.

<sup>72</sup> Kochi Corporation Starts Distributing Kiosks to Rehabilitate Street Vendors, TIMES OF INDIA (June 10, 2025), <https://timesofindia.indiatimes.com/city/kochi/kochi-corporation-starts-distributing-kiosks-to-rehabilitate-street-vendors/articleshow/121761442.cms>

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- Surveys and registrations have been initiated in cities like Delhi and many others.
- Examples include newly emerging TVCs and model vending zones.
- PM-SVANidhi loans after COVID helped the lakhs restart businesses, besides supporting digital inclusions.

## B) Negatives – Why the Act Still Struggles

1. Poor and unequal enforcement: There are rules; on-ground enforcement is poor in most cities.
2. Low rates of registration: The actual numbers registered are so few in comparison to the estimates, thereby leaving most of them unprotected.
3. Continuing harassment and evictions: Most cities still carry out eviction drives without due process.
4. Contradiction with urban beautification policies: The policy of vending rights is usually ignored in modernization projects; it pushes away the vendor.
5. Ignorance: Provisions of the Act are generally not known to the vendors, as well as to officials.
6. Issues of gender and vulnerability: Exploitation and lack of facilities continue to be high among female and migrant vendors.

Recent field situations in Nagpur and Vijayawada prove that insecurity continues, despite the law. As late as 2025, a scholarly study mentions in the Australian Journal of Asian Law, delays in registration and surveys which leave vendors vulnerable defeat the Act's purpose.

### *Socio-economic Impact: What Has Changed on the Ground?*

# STREET VENDING LAW AND LIVELIHOOD RIGHTS IN INDIA: A SOCIO-LEGAL REVIEW OF THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014 - SUCCESS OR FAILURE?

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The Act has influenced vendor politics and organisation: vendor unions negotiate through the law, hold meetings of TVCs, and use rights-based language. Where certificates have been issued, vendors report increased confidence, better investment in businesses, and children benefiting from stabilized income. In most cities, however, informality remains the dominant condition, with fear concerning confiscation or eviction persists.

## MAJOR FLAWS<sup>73</sup> IN THE STREET VENDORS ACT, 2014:

**Imprecise Definition of Street Vendor (Section 2(l)):** Lack of specificity in the definition concerning the vending locations allowed, as it does not strike a balance between the right to livelihood for vendors and the right to access the public path without obstruction.

**Unconstitutional Delegation in Section 28<sup>74</sup>:** Another issue in the Act is that Section 28 gives municipal authorities the power to punish vendors who do not have a vending certificate. This may be constitutionally questionable because municipal authorities are part of the executive, and giving them penalty-imposing powers may go against the idea of separation of powers. As Municipal Corporations are primarily executive bodies. Hence, a Municipal Corporation acts like a judicial body even though it is not headed by any judicial officers. This is a constitutional problem because the doctrine of separation of powers is an important part of the Indian Constitution. In *Ram Jawaya Kapur v. State of Punjab*<sup>75</sup>, Chief Justice Mukherjee held:

*"It is a basic feature of the Constitution of India that the Constitution does not permit any organ of the government to perform any function which is essentially the function of another organ of the government."* Since the provision does not specifically refer to the officers

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<sup>73</sup> The below flaws have been inspired from - An Analysis Of Lacunae In Street Vendors Act, 2014 And Obstacles To Street Vendors With Special Reference To District, Ludhiana, Volume - 13 | Issue - 01 | January - 2023 | PRINT ISSN No 2249 - 555X.

<sup>74</sup> Penalty for contraventions.

<sup>75</sup> *Rai Sahib Ram Jawaya Kapur v. State of Punjab*, (1955) 2 SCR 225 : AIR 1955 SC 549.

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who will handle such cases of penalties, this provision is also open to constitutional doubts.

Mandate to Exclusively Occupy Section 5<sup>76</sup>: Vendors applying for the certificates have to exclusively occupy the vending sector, but the meager returns from this occupation force most vendors into other jobs.

Restrictive Condition of “No Other Means of Livelihood” : Section 5<sup>77</sup> requires a vendor to state that he or she has no other means of livelihood. This condition may be unrealistic because many street vendors are compelled to take up additional work to survive. Since street vending often provides only meager income, requiring exclusive dependence on vending can operate unfairly in practice

Railway Property Exemption<sup>78</sup>: There is an exemption provided in the Act in relation to any property that is in the ownership of the railways. All such properties are exempted, which leads to a gap in the implementation level in the protection of the rights of street vendors in railway areas.

Harsh Nature of Section 10<sup>79</sup> : Section 10 of this Act reveals that, in certain contexts, this legislation seems to concentrate more on penalizing street vendors than supporting them. Section 10 never clearly differentiates between a minor and a major violation of the terms and conditions of street vendors. Hence, a minor offense on the part of street vendors will result in serious consequences, such as cancellation of their vending certificate. This is a serious problem, as this certificate is directly related to their source of livelihood. Hence, a minor mistake on their part will result in the loss of a person’s sole source of income, which makes this provision appear harsh and disproportionate in nature.

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<sup>76</sup> Conditions for issue of certificate of vending.

<sup>77</sup> Supra Note 76.

<sup>78</sup> Section 1(4).

<sup>79</sup> Cancellation or suspension of certificate of vending.

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Age Conflict with Juvenile Justice Act: The Street Vendor Act allows a person above 14 years of age to get a street vending licence. But according to the Juvenile Justice Act, 2015, a child of that age still needs care and protection. Because of this, there appears to be a conflict between the two laws.

Gaps in Section 27<sup>80</sup>'s Enforcement: It prohibits any intervention by either the local authorities or the police in registered vendors but lacks any process for dealing with violations.

Limited Recognition of Rights of Street Vendors : The Act was enacted mainly to safeguard and empower street vendors in their interactions with local authorities. Even though Chapter III<sup>81</sup> of the Act is designated as "Rights and Obligations of Street Vendors," in reality, the Act merely recognizes the "right to vend" and never specifically mentions the rights of street vendors. It never properly deals with issues relating to the protection of their basic human rights, which are violated in many instances. Street vendors are entitled to certain basic constitutional rights, such as freedom of speech, freedom to use public space in a lawful manner, freedom to protest, etc., which are never respected or allowed by local authorities. Hence, this Act cannot be regarded as having gone far enough in protecting the entire gamut of street vendors' rights.

Population Limit Problem: According to the Act, the extra vendors who are present in the urban areas beyond 2.5%<sup>82</sup> of the population will not be provided with the certificates of vending unless they are relocated. The difficulty lies in the fact that the Act clearly mentions that the extra vendors must not be provided with the certificates unless they are relocated. Therefore, in cities such as Delhi, where the population of vendors is already high, the vendors who are present in the urban

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<sup>80</sup> Prevention Of harassment by police and Other authorities.

<sup>81</sup> RIGHTS AND OBLIGATIONS OF STREET VENDORS

<sup>82</sup> Section 3(2) of the 2014 Act. (Section 3 : Survey of street vendor sand protection from eviction or relocation).

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areas beyond 2.5% of the population will not be provided with the certificates, and hence they will not be able to acquire the benefits provided by the Act, such as the right to be protected from harassment as well as the right to seek the remedy provided in Sections 27<sup>83</sup> and 28<sup>84</sup>. Once they are identified as illegal vendors, they will also be subject to the provisions of the Bombay Prevention of Begging Act, 1959.

## CHALLENGES FACED BY STREET VENDORS:

Street vendors face challenges in their business because of the huge competition from other street vendors, mainly because of the changing prices in the market and the lack of job security in their line of work, which is not fixed or guaranteed.

Street vendors are often relocated from public places by the authorities or police. Sometimes, this relocation occurs even without proper notice or rehabilitation. This leads to insecurity in the livelihood of street vendors.

Most street vendors do not have a fixed or legal place for vending. Because of this, street vendors often shift from one place to another. This leads to uncertainty for street vendors.

Street vendors are able to earn money only if they are able to sell products every day. Their earnings are not fixed and vary according to customers and demands. This makes it difficult for street vendors to manage family expenses.

Vending places are often not provided with clean drinking water, toilets, or electricity. Vendors often work in poor and unhealthy conditions for a long time. This leads to a reduction in comfort and efficiency in the work of street vendors.

Street vendors face a lot of competition from shops, supermarkets, and malls. Customers often prefer to buy products from shops or malls where brands are available. This leads to a loss for street vendors.

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<sup>83</sup> Prevention of harassment by police and other authorities.

<sup>84</sup> Penalty for contraventions.

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Street vendors work in open spaces, making them vulnerable to weather conditions. For example, during rainy seasons or extreme weather conditions, they lose money or have their goods damaged. This makes their work risky or unpredictable throughout the year.

Street vendors do not get any benefits, such as health insurance, pension schemes, or accident compensation schemes. This makes them suffer if they get sick or have any other problem. This makes them economically vulnerable or at risk.

Street vendors do not have any knowledge about their legal rights. For example, they do not know about laws that protect street vendors, such as the Street Vendors Act, 2014. Due to this, they do not get any benefits that the law provides.

Street vendors are commonly spotted in busy locations where there is a lot of movement, such as near the roadside where there are cycles, people walking, and buses moving. Street vendors prefer to sell their products on the footpaths and side roads, which is an indication that there is a demand for their services, and people do not sell their products in those locations unless there is a requirement for them.

Also, most street vendors do not easily get loans from banks or other financial institutions. Due to this, they have to get loans from other money lenders at extremely high interest rates. This makes them go deeper into debt, making economic growth difficult.

## **SUGGESTIONS TO STRENGTHEN IMPLEMENTATION:**

To turn the Act from “good law on paper” to “real protection on the street,” the following measures are needed:

1. Monitoring at the state and urban local body level through publicly available dashboards displaying progress
2. Capacity building through training for Town Vending Committees and vendor representatives.

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3. Increase transparency by providing a digital map and a vendor database.
4. Encouragement of Female Vendors in Business Growth.
5. Ensure and begin Health and Safety Provisions and training for women vendors in informal food sectors to meet hygiene standards, addressing domestic burdens.
6. Initiate Public Awareness Campaigns to combat any kind of discrimination, celebrate women vendors and to build support for gender equality.
7. Align with Smart City and AMRUT<sup>85</sup> plans so space is set aside in redesigns.
8. Organize legal awareness campaigns led by Legal Services Authorities and universities.
9. Women-friendly vending infrastructure development may include accessible toilets, proper lighting, and crèches.

## CONCLUSION:

The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 represents a landmark in Indian urban law. This is the first law that attempts to create a structured system of registration, protection against arbitrary eviction of the vendors, the creation of TVC under the Act and the identification of the vending zones. The Act attempts to convert street vendors from “illegal encroachers” into rights-holders through participatory bodies such as Town Vending Committees, using an advocacy approach of planned regulation rather than blanket evictions. Judicial pronouncements have further strengthened the street vendor’s right to street vending not only as an informal economic activity but also as a livelihood right fully protected by the law.

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<sup>85</sup> Atal Mission for Rejuvenation and Urban Transformation (AMRUT) was launched on 25<sup>th</sup> June 2015 in selected 500 cities and towns across the country under Ministry of Housing and Urban Affairs, Data available at : <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1885837&reg=3&lang=2>, (last visited on 31 March, 2026).

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However, the implementation is different in every city. Although cities like Kochi have been quite proactive in the implementation of this act, in most cities, the impact of street vendors has remained only on paper and thus remains prone to insecurity, bribery, and eviction. In conclusion, the above act may be considered a partial success and a partial failure. This is, in other words, a forward-looking framework with real potential, but for which effectiveness depends on better application, like how sincerely local authorities, municipal authorities, and State governments are committed to the implementation of the act. The true measure of the effectiveness of welfare legislations would not be the quality of the legislation itself but the quality of life it improves. The street vendors are not an issue to be addressed; they are citizens who need to be protected.

