

Street Vendors win again in Rajasthan ~Right to Livelihood restored~

New Delhi/ Jaipur, July 12 2016: The Supreme Court of India disposed of an appeal after the Additional Advocate General of State of Rajasthan gave an undertaking to comply with Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (“Central Act”) in letter and spirit. Centre For Civil Society in association with Heritage City Thadi-Thela Union challenged the Rajasthan High Court order given in D.B. Public Interest Litigation Petition No 6623 of 2012. This implies that the list of no-vending zones dated 13.03.2016 will be reviewed in consultation with the Town Vending Committee hereon. Jaipur Municipal Corporation also agreed in its written reply that the Act is indeed applicable to Rajasthan and it is in the process of implementing it by framing the rules and drafting a scheme to comply with the provisions of the act.

As per Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (“Central Act”), no-vending zones cannot be demarcated by the local authorities without the recommendations of the Town Vending Committee. A no-vending zone can be declared only in conformity to the plan carried out for street vending. According to the Central Act, existing or natural markets must not be declared as no-vending zones, overcrowding and sanitary concerns cannot be basis for declaring any zone a no-vending zone and a zone cannot be declared a no-vending zone until a survey has been carried out and the plan for street vending formulated.

Hailing the Supreme Court order, Prashant Narang, Advocate with Centre for Civil Society who argued the matter said, “JMC must stop the evictions now. The Act should have been implemented last year. Other states have already conducted surveys and constituted town vending committees. Anyways, It’s better late than never.”

Commenting on the Supreme Court order, Banwari Lal Sharma, President, Heritage City Thadi-Thela Union, Jaipur said, “The Rajasthan state government and Municipal Corporation must adhere to their own undertaking. The Street Vendors Act 2014 should be acted upon to create a town vending committee which should undertake surveys and issues proper licenses to the street vendors in order to create appropriate vending zones in future.”

In the past, the Rajasthan High Court order had erroneously held that the Central Act is inoperative in Rajasthan and also permitted the local authorities to create no-vending zones, in direct contravention of the principles and due process enshrined in the Central Act, 2014. The Supreme Court order restores the right to livelihood of street vendors in the State of Rajasthan.

About Centre for Civil Society

Established on 15 August 1997, the Centre for Civil Society (CCS) is an independent, non-profit public policy think tank devoted to improving the quality of life for all citizens of India by reviving and reinvigorating civil society. Through its award winning programs, CCS is a resource for innovative community and market based ideas for sound public policy solutions, particularly in the areas of education, livelihood, governance and environment. By bringing these ideas to current and future leaders, CCS is advancing opportunity and prosperity for all Indians.

For more information, please contact:

Prashant Narang, Advocate – Centre for Civil Society | prashant@ijustice.in | +91 98113 22297
Avinash Chandra | avinash@ccs.in | +91 99998 82477