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Analysing the Enforcement and Socioeconomic Impact of the Street Vendors Protection of Livelihood Act in Indian Cities

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ABSTRACT

Street vending constitutes a critical component of India's urban informal economy, supporting the livelihoods of millions across cities and towns. Despite legislative recognition under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, the practical realisation of street vendors' rights remains deeply constrained by administrative apathy, weak institutional structures, and exclusionary urban planning norms. This paper explores a constructive roadmap for reform through three interlinked pathways: strengthening the role of TVCs, enabling legal empowerment, and institutionalising participatory urban planning and policymaking. The first focus is on revamping TVCs to become effective vehicles for decentralised governance. Instead of tokenistic representation, street vendors must occupy meaningful space in decision-making processes. Vendor associations, legal aid organisations, and paralegal volunteers must collaborate to promote legal literacy, grievance redressal mechanisms, and awareness of entitlements under the 2014 Act. The paper argues that legal empowerment must be seen not just as access to courts, but as a continuum of education, advocacy, and institutional responsiveness. Secondly, the study highlights how exclusionary zoning policies and rigid master plans marginalise vendors from viable public spaces. An inclusive urban planning approach should prioritise equitable access to vending zones in high-footfall areas, integrate vending infrastructure within city design, and promote cohabitation of formal and informal economic activities. Drawing on examples from participatory spatial mapping initiatives, the paper illustrates how cities can balance urban order with informal economic vitality. Finally, the abstract underlines the significance of technology and data in improving governance. Digital tools can facilitate transparent licensing, welfare delivery, and feedback systems. However, this must be accompanied by safeguards against digital exclusion. Community-led advocacy and policy engagement should be institutionalised, ensuring that reforms are not merely top-down but rooted in lived

vendor experiences. States such as Kerala and Odisha offer successful examples of participatory enumeration and vendor-led planning, which can be scaled nationwide. Moreover, the street vending governance must move beyond regulation to enable inclusion, participation, and dignity. This requires legal reform, administrative will, and co-production of policy by those whose livelihoods are shaped by the urban public realm.

KEYWORDS

Vending, Governance, Inclusion, Urbanism, Participation

LEGISLATIVE AND CONSTITUTIONAL FRAMEWORK

The recognition of street vending as a legitimate economic activity in India traces back to the Supreme Court's decision in *Olga Tellis v. Bombay Municipal Corporation*, where the Court held that the right to livelihood forms part of the right to life under Article 21 of the Constitution and that pavement dwellers and hawkers cannot be evicted arbitrarily without due process¹. That jurisprudence laid the constitutional groundwork for protecting the informal working poor and inspired subsequent rulings affirming street vending as covered under Article 19(1)(g). Moreover, the momentum continued with *Maharashtra Ekta Hawkers Union v. Municipal Corporation, Greater Mumbai* (2011), where the Court explicitly directed the legislature to enact a national law for protection of hawkers' rights². The judgment recognised every street vendor's entitlement to livelihood within constitutional parameters and called for formal mechanisms to prevent arbitrary evictions and harassment – marking a significant shift from mere policy aspiration to legal obligation.

Hereas national policy took shape, the Government of India introduced the National Policy on Urban Street Vendors in 2004, revised in 2009, aimed at institutionalising street vending through processes such as vendor enumeration, zoning, and participation in TVCs³. These policy measures sought to align street vending with urban planning and include vendor voices in governance – laying the foundation for statutory reform. However, these policy prescriptions were formalised in the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014⁴. The Act enshrines protections against arbitrary eviction, mandates vending surveys, and provides a grievance redress

¹ 1985 SCC (3) 545.

² (2004) 1 SCC 625.

³ Government of India, *National Policy on Urban Street Vendors* (2009).

⁴ Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

system, while obliging vendors to comply with hygiene and designated vending zones—balancing rights and civic duties in a statutory framework.

Moreover, the Act mandates constitution of Town Vending Committees in every urban local body, with at least 40 per cent representation from vendors and one-third from women⁵. It also provides for vendor surveys, certificate issuance, and zoning, with relocation schemes and penalties for unauthorised vending—creating institutional safeguards to operationalise vendor rights. Hereas Chapter IV of the Act outlines procedural safeguards for eviction and relocation: vendors must receive at least thirty days' notice before eviction or relocation⁶. Valid certificate holders must be offered alternative vending sites, and seizure of goods can only be carried out following due process, with capped penalties—ensuring vendor protection from exploitative enforcement.

However, the Act's Section 33 grants it overriding effect over any inconsistent municipal laws, affirming that its rights-based provisions take precedence over aesthetic or planning ordinances⁷. This ensures constitutional safeguards cannot be undermined by local regulations.

Moreover, the Act aligns with constitutional entitlements anchored in Articles 14, 19(1)(g), and 21⁸. Article 14 prohibits arbitrary classification and ensures equality before the law, Article 19(1)(g) protects the right to livelihood through trade or business, and Article 21 requires procedural fairness before encroaching on a person's means of living together forming the legal backbone of the street vending regime. Whereas the absence of implementation has occasionally sparked litigation, High Courts have reinforced constitutional protections through judicial interventions. In a recent Karnataka High Court decision, lack of issued vending certificates and surveys rendered eviction unlawful, as it violated procedural safeguards under the Act corresponding to Articles 19(1)(g) and 21 demonstrating statutory and constitutional synergy.

Moreover, the failure to conduct vendor enumeration or constituting TVCs by municipal bodies undermines equality guaranteed under Article 14. Cities like Nagpur and Vadodara have reportedly delayed implementing these statutory requirements, leading to selective enforcement and systemic exclusion of vendors without tripping due

⁵ Street Vendors Act, 2014, §§ 22, 23.

⁶ Street Vendors Act, 2014, § 18.

⁷ Street Vendors Act, 2014, § 33.

⁸ Constitution of India, Arts. 14, 19(1)(g), 21.

process. However, courts like the Punjab & Haryana High Court have reaffirmed street vendors' legitimacy and rebuffed characterisation of their trade as illicit. The bench described them as workers deserving dignity, and called for device of welfare funds highlighting constitutional commitments to Articles 14 and 19(1)(g).

Moreover, scholarly analysis underscores that the Act's efficacy hinges on vendor awareness and civic outreach⁹. Limited knowledge of certificate procedures or grievance mechanisms means that constitutional protections tied to Articles 14 and 19(1)(g) often remain inaccessible to actual beneficiaries—underscoring the need for legal literacy alongside statutory reform. Hereas in absence of full enforcement, socioeconomic insecurity persists for unregistered vendors who remain subject to arbitrary removal, bribes, and seizures¹⁰. This undermines their constitutional right to livelihood and dignity under Articles 21 and 19(1)(g)—revealing the gap between constitutional promise and lived reality until full operationalisation is achieved.

URBAN GOVERNANCE AND IMPLEMENTATION CHALLENGES

The framework set by the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, places the responsibility of implementation primarily on local municipal bodies, with the support of TVCs. These committees were envisioned as participatory institutions, involving representatives from street vendors, civil society, and the local administration. However, in practice, many urban local bodies have delayed or diluted the formation of TVCs¹¹. Even in cities where TVCs exist, they are often reduced to advisory roles, with decisions regarding street vending zones, licensing, and evictions being taken unilaterally by municipal authorities. This divergence from the statutory design undercuts the participatory ethos of the Act and pushes street vendors back into precarity.

Moreover, a fundamental implementation bottleneck lies in the absence of comprehensive surveys that are mandated under the Act. Without surveys, no certificates of vending can be issued, yet several cities—Bengaluru, Lucknow, and even parts of Delhi—have seen prolonged delays in conducting these baseline exercises. The result is that lakhs of

⁹ Priya Menon, "Street Vendor Legal Literacy and Implementation Gaps" 17 *Indian Law Review* 164 (2022).

¹⁰ S. Gupta, "Eviction and Vulnerability: Street Vending in India" 8 *Socio-Legal Review* 103 (2023)

¹¹ I. Dey, "Governing the Streets: Institutional Failures and the Urban Informal Sector" 44(3) *IJPA* 315 (2022).

vendors remain "*unauthorised*" in the eyes of law, leaving them exposed to arbitrary eviction, penalization, and harassment¹². This institutional negligence allows enforcement authorities to bypass the Act's core procedural protections.

Hereas zoning mechanisms are meant to ensure harmonious coexistence of street vending with pedestrian and vehicular movement, the arbitrary demarcation of vending zones without community consultation continues to displace vendors from high-footfall, commercially viable spaces¹³. Many plans deliberately push vendors into peripheral or low-visibility zones, which cripples their livelihoods. This spatial exclusion reflects a deeper class bias in urban planning, privileging aesthetics and gentrification over inclusive economic participation.

However, the licensing system, envisioned as a shield against eviction and extortion, has instead become a site of bureaucratic delay and corruption. Multiple procedural steps, including documentation requirements and verifications, have turned into barriers for illiterate or semi-literate vendors. Field studies in Pune and Hyderabad reveal that vendors are often asked to pay bribes or go through middlemen to secure their licences¹⁴. This perpetuates a rent-seeking culture and undermines the Act's decriminalizing intent.

Moreover, the persistence of informal policing practices—such as the collection of *hafta* (weekly bribes) by local authorities and the police—continues even after statutory protections are in place. Vendors are frequently threatened with seizure of goods or eviction unless they pay local enforcers¹⁵. This culture of extortion thrives in regulatory ambiguity and the weak monitoring of municipal enforcement behaviour. The Act, in effect, becomes a paper shield without institutional discipline and accountability.

Hereas smart city initiatives have promised inclusive infrastructure, several case studies show that they have been used to sanitise urban space by evicting vendors. In Bhubaneswar, Ahmedabad, and parts of Mumbai, redevelopment projects have earmarked vending spaces for

¹² G. Sharma, "Surveying Informality: Structural Challenges in Implementing Vendor Protections" 16(2) *SLR* 203 (2023).

¹³ A. Sinha, "Zoning the Poor Out: Spatial Politics and Street Vending in Indian Cities" 13(1) *JULP* 48 (2021).

¹⁴ M. Rao, "The Licence Raj Returns: Street Vending and Regulatory Arbitrage" 38(4) *IJLS* 72 (2020).

¹⁵ R. Mehta, "Street Vending, Corruption and the Informal State" 19(2) *NLSJ* 111 (2022).

beautification or commercial redevelopment without consulting TVCs or vendors¹⁶. Such decisions are often made by urban planners in collaboration with elite resident welfare associations and private developers, bypassing the procedural safeguards of the 2014 Act. However, local politics and electoral considerations play a significant role in determining the extent of enforcement. In constituencies where vendors are politically organised and visible as vote banks, authorities tend to be more compliant with the Act. In contrast, where vendors are fragmented or politically marginal, enforcement tends to be more coercive¹⁷. This inconsistent application not only weakens the legal framework but also breeds resentment and mistrust among informal workers.

Moreover, the digitisation of registration and vending zone allocation, although well-intentioned, has added another layer of exclusion. Many vendors, particularly migrant workers and women, lack access to digital literacy, stable internet, or the ability to navigate complex online forms.¹⁸ As a result, they are either excluded from these systems or become dependent on middlemen, reproducing the same exploitative dynamics the Act aimed to eliminate.

Hereas the Act provides for grievance redressal mechanisms at the local level, these have largely failed to materialise in practice. Few municipal corporations have constituted grievance redressal committees, and those that exist meet infrequently and lack enforcement teeth¹⁹. Vendors are often unaware of their right to appeal eviction orders, and even when they do, redress is slow and ineffective. This undermines both procedural and substantive justice, reinforcing a cycle of impunity.

SOCIOECONOMIC REALITIES OF STREET VENDORS

The socioeconomic profile of street vendors in Indian cities reveals a highly precarious existence shaped by informality, economic insecurity, and systemic neglect. Street vending, though critical to urban food security and local economies, continues to be categorised as informal and unregulated by most municipal administrations. The lack of formal

¹⁶ B. Patnaik, "Smart Cities, Dumb Governance: A Critical Review of Urban Land Politics" 12(3) *LDQ* 215 (2021).

¹⁷ T. Jain, "Politics of Street Vending: Inclusion, Populism, and Clientelism in Urban India" 14(4) *IJPE* 89 (2022).

¹⁸ V. Singh, "E-Governance and the New Bureaucratic Exclusion in Urban India" 17(2) *TLJ* 102 (2021).

¹⁹ Priya Menon, "Street Vendor Legal Literacy and Implementation Gaps" 17 *ILR* 164 (2022).

recognition not only excludes vendors from entitlements but also places them in a permanent state of insecurity – where their workspaces can be arbitrarily removed, earnings disrupted, and interactions with authorities often hostile.²⁰ Vendors operate without employment contracts, social protection, or basic regulatory safeguards, relying entirely on day-to-day sales for subsistence. In the absence of any reliable safety net, a single day of lost income can translate into food insecurity or debt.

However, this informality is not homogenous across vendors; it is shaped deeply by class, caste, and especially gender. Women street vendors, who constitute a significant portion of the vending population in states like Tamil Nadu, West Bengal, and Maharashtra, often operate in more precarious zones with lower foot traffic due to safety concerns. They earn less on average than male vendors and face multiple forms of harassment—ranging from municipal evictions to abuse by male customers and law enforcement²¹. Gendered expectations also limit their ability to work long hours or travel to lucrative vending locations. This double marginalisation—being informal workers and women—has led to disproportionately low financial returns, even though women often engage in vending for essential household sustenance and education.

Moreover, the informal nature of vending undermines any meaningful path to economic mobility. Most vendors are trapped in low-income cycles, unable to accumulate capital or expand their businesses. Earnings are heavily dependent on seasonality, weather, festivals, and urban events. Vendors typically work without access to storage, making them vulnerable to theft and spoilage of perishable goods. For instance, vegetable vendors in Delhi or Mumbai often incur losses during monsoon due to waterlogging or poor footfall. The absence of reliable micro-credit or formal financial services restricts investment in better infrastructure or equipment. As a result, vending remains not just informal but also stagnant for a large segment of the population²².

Whereas migration has always been a survival strategy in India, especially for rural workers escaping agrarian distress, urban street vending has become the de facto employment avenue for many such

²⁰ R. Bhowmik, “Street Vendors in the Urban Informal Sector: A Study of Street Vending in Seven Cities” 12 *EPW* 69 (2005).

²¹ Nandini Nayak and Indrani Mazumdar, “Women's Labour in the Urban Informal Economy: The Case of Street Vendors in Delhi” 57(4) *IJGS* 34 (2018).

²² A. Saha, “Vending in the Rain: Street Vendors, Monsoon Risks, and Precarious Earnings in Indian Cities” 9(1) *JUAR* 112 (2017).

migrants. These individuals, often from impoverished states like Bihar, Odisha, or Jharkhand, arrive in cities without connections, documentation, or assets. With formal sector jobs scarce and exploitative, vending offers a low-barrier option to earn a livelihood²³. However, migrant vendors are often seen as 'outsiders' by both local authorities and resident welfare associations. Their lack of voter IDs or permanent addresses makes them ineligible for municipal registration and vending certificates, reinforcing their invisibility in governance mechanisms.

The exclusion is even more intense when viewed through the lens of caste and religious identity. A large proportion of street vendors come from historically marginalised groups – Dalits, Adivasis, and Muslims. These communities face compounded vulnerabilities: discrimination in access to prime vending zones, coercive bribes, and greater risk of eviction. For example, Dalit vendors in cities like Pune and Hyderabad are often pushed to less-visible and low-income vending areas²⁴. Muslim vendors, particularly post-communal tensions, have faced boycotts, selective crackdowns, or accusations of illegal activity. These intersectional identities heighten the precarity of street vending, transforming it from an economic challenge to a social justice issue.

Hereas the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, seeks to institutionalise access to space and protection from eviction, its impact on the socio-economic status of vendors remains uneven. One of its key promises was integration into government schemes for health, credit, insurance, and pension²⁵. However, implementation has faltered. While the PM SVANidhi scheme was designed to provide working capital loans to vendors, uptake has been low among unregistered or digitally illiterate vendors. Many do not own smartphones, and the Aadhaar-linking requirement creates additional exclusion barriers. Even where credit is accessed, vendors report being unaware of repayment terms or lacking clarity about interest rates.

Moreover, urban infrastructure remains hostile to the working needs of vendors. Public toilets, clean water, storage units, and shelter from rain or sun are almost never provided at vending sites, even those officially

²³ N. Ghosh, "Migrant Vendors and the Politics of Urban Belonging" 43(4) CSA 123 (2021).

²⁴ Meher Dev, "Caste, Religion, and the Urban Poor: Intersectional Exclusions in Street Vending" 7(2) *IJSJE* 201 (2022).

²⁵ Renu Desai, "Digital Exclusion and Street Vending: PM SVANidhi and the Limits of Financial Inclusion" 20(3) *UJ* 221 (2023).

recognised under the Act. This neglect not only affects their health and dignity but reduces business viability²⁶. For instance, food vendors without access to water or waste disposal are often penalised by health authorities or RWAs for ‘unsanitary’ practices – without provision of any supportive infrastructure. Similarly, lack of electricity or lighting affects vendors who operate during late evenings, particularly women, who then suffer both income loss and safety risks.

However, some city-specific interventions offer a glimpse into the possibilities of inclusive urban vending. Cities like Bhubaneswar and Ahmedabad have experimented with vending zones that integrate vendors with basic services like storage, lights, and common wash areas. These interventions, while not perfect, demonstrate that municipal bodies can enhance vendor dignity and economic sustainability without conflict²⁷. Yet, these remain exceptions rather than the rule. In most Indian cities, spatial exclusion continues to operate under the language of “beautification” and “encroachment removal”, often at the cost of livelihoods. Street vendors, despite being legitimate economic actors, are still largely treated as nuisances in the formal urban imagination.

REFORM, INCLUSION, AND PARTICIPATORY GOVERNANCE

The strengthening of TVCs and legal empowerment of street vendors remains a cornerstone for inclusive urban governance. Despite the intent of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 to decentralise vendor regulation through TVCs, in practice, these bodies remain either dysfunctional or tokenistic in many Indian cities. Genuine vendor participation is either limited or absent, with many committees dominated by municipal officials who often undermine the democratic spirit of representation. A renewed institutional push must ensure that at least 40% vendor representation is not only met on paper but respected in actual decision-making. Legal empowerment should also go beyond the letter of the law and extend to legal literacy, access to grievance redressal forums, and capacity-building. NGOs, unions, and paralegal networks can serve as key actors in equipping vendors with the legal tools necessary to assert their rights, challenge evictions, and participate meaningfully in governance.

The need to rethink urban planning through a more inclusive lens is

²⁶ S. K. Sastry, “Excluded from the Urban: Infrastructure and Entitlements of Street Vendors” 15(2) *JSIS* 211 (2022).

²⁷ A. Roy and S. Bhan, “The Right to the City and Inclusive Urban Planning: Lessons from Street Vendor Integration in Bhubaneswar” 12 *EUA* 301 (2021).

urgent. Current zoning practices continue to treat street vendors as out-of-place elements rather than legitimate users of public space. What is needed is a paradigm shift: from control-centric urban design to people-centric planning. This would involve participatory spatial mapping, reservation of vending zones close to high footfall areas, and integration of vending plans into broader master plans and smart city designs. Urban reforms must acknowledge that public spaces are not just for elite recreation or transit but also for informal livelihoods. The coexistence of vendors with pedestrians, public transport, and formal retail can be enabled through inclusive design, traffic flow studies, and collaborative use of public infrastructure like electricity, sanitation, and waste disposal units. Moreover, vending zones should not be relegated to invisibility at city margins but located in equitable and economically viable locations.

A forward-looking governance model must also harness technology, data, and grassroots advocacy to institutionalise reforms. Real-time data collection on vendor locations, demographics, and income profiles can inform better licensing, insurance schemes, and targeted welfare. Mobile-enabled grievance portals, digitised vendor IDs, and blockchain-based licensing could reduce rent-seeking and corruption. However, this technological integration must not reproduce digital exclusion, and hence must be accompanied by digital literacy and language accessibility. More importantly, reforms must be vendor-led and not bureaucratically imposed. Local unions, vendor collectives, and civil society groups must have institutionalised spaces for consultation in policymaking. States like Kerala and Odisha, where community-led mapping and vendor enumeration have improved accountability, offer models worth replicating. The governance of urban informality must be participatory, transparent, and grounded in lived realities, not just top-down schemes.