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**DAILY EDITORIAL
ANALYSIS**

TOPIC

**Street Vendors Act:
Emerging Challenges**

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STREET VENDORS ACT: EMERGING CHALLENGES

In News

- 10 Years of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act has been completed .

About the Act

- The Act came into effect on May 1, 2014, marking a significant milestone after nearly four decades of legal jurisprudence and the tireless efforts of street vendor movements across India.
- It aimed to '**protect**' and '**regulate**' street vending in cities, with State-level rules and schemes, and execution by Urban Local Bodies (ULBs) through by-laws, planning, and regulation.

Feature

- The Act clearly delineates the roles and responsibilities of both vendors and various levels of government.
- It recognises the positive urban role of vendors and the need for livelihood protection.
- It commits to accommodating all 'existing' vendors in vending zones and issuing vending certificates.
- The Act establishes a **participatory governance structure through Town Vending Committees (TVCs)** and mandates that street vendor representatives must constitute **40% of TVC members**, with a sub-representation of **33% of women street vendors**.
- These committees are tasked with ensuring the inclusion of all existing vendors in vending zones.
- The Act outlines mechanisms for addressing grievances and disputes, proposing the establishment of a Grievance Redressal Committee chaired by a civil judge or judicial magistrate.
- Its provisions set a crucial precedent for inclusive and participatory approaches to address street vending needs in cities, at least in theory.

Need of the law

- Street vendors, estimated to constitute **2.5% of any city's population**, play multifaceted roles in city life.
- Local vegetable sellers and food vendors are essential providers of daily services. Vending offers many migrants and the urban poor a source of modest yet consistent income.
- The vendors also make city life affordable for others by providing vital links in the food, nutrition, and goods distribution chain at reasonable prices.
- Street vendors are also integral to Indian culture — imagine Mumbai without its vada pav or Chennai without its roadside dosai. The law was enacted to acknowledge this reality.

Broad Challenges

- The Act has faced three broad challenges.
 - ♦ At the **administrative level**, there has been a noticeable **increase in harassment and evictions** of street vendors, despite the Act's emphasis on their protection and regulation.
 - ♦ This is often due to an **outdated bureaucratic mindset** that views vendors as illegal entities to be cleared.
 - ♦ There is also a **pervasive lack of awareness and sensitisation** about the Act among state authorities, the wider public, and vendors themselves.
 - ♦ TVCs often remain under the control of local city authorities, with limited influence from street vendor representatives. And the representation of women vendors in TVCs is mostly tokenistic.
- **At the governance level**, existing **urban governance mechanisms** are often weak.
 - ♦ The **Act does not integrate well with the framework** established by the 74th Constitutional Amendment Act for urban governance.

- ◆ **ULBs lack sufficient powers and capacities.**
- ◆ Schemes like the Smart Cities Mission, laden with resources and pushed through as policy priorities from the top-down, mostly focus on infrastructure development and ignore the provisions of the Act for the inclusion of street vendors in city planning.
- At the **societal level**, the prevailing image of the 'world class city tends to be exclusionary.'
 - ◆ It marginalises and stigmatises street vendors as obstacles to urban development instead of acknowledging them as legitimate contributors to the urban economy.
 - ◆ These challenges are reflected in city designs, urban policies, and public perceptions of neighbourhoods.
- The Act now faces new challenges such as the impact of climate change on vendors, a surge in the number of vendors, competition from e-commerce, and reduced incomes.

Way Forward

- While the Act is **progressive and detailed**, its implementation requires support, possibly (and ironically) **necessitating top-down direction** and management starting from the Ministry of Housing and Urban Affairs.
- This needs to be **decentralised over time** to ensure effectiveness in addressing the diverse needs and contexts of street vendors nationwide.
 - ◆ **PM SVANidhi**, a micro-credit facility for street vendors, has been a positive example in that direction.
- There is a strong need to **decentralise interventions, enhance the capacities of ULBs** to plan for street vending in cities, and move away from high-handed department-led actions to actual deliberative processes at the TVC level.
- **Urban schemes**, city planning guidelines, and policies need to be amended to include street vending.
- The Act's **broad welfare provisions must be used creatively** to meet the emerging needs of street vendors.
- The sub-component on street vendors in the National Urban Livelihood Mission needs to take cognisance of the changed realities and facilitate innovative measures for addressing needs.

Mains Practice Question

[Q] Explain the salient features of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. Do you think it is efficacious enough to address street vending needs in cities?

