

**STREET
VENDING:
PAKKA
LEGAL!**



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Be it Delhi, Mumbai, Chennai or Bengaluru, streets in any Indian city will not be the same without our vendors. It is because of the low-cost access to goods and services provided by street vendors that cities become more affordable for working and middle classes. They are the eyes and ears of any street, making our urban spaces more inviting, safe, and distinct. Worldwide, street vending is a critical part of any urban economy and cultural landscape. In India, not only does street vending provide jobs to crores of people, especially migrants to cities, but also indirectly generates jobs in both formal and informal sectors.

However, our streets are contested spaces. There are differing views competing with each other on what should be the nature of our cities' streets, who can and should occupy them, and how they will be shaped in the future. In this context, street vendors in Indian cities are a much persecuted lot, and face challenges from different quarters. Recognising this harassment faced by street vendors, the Supreme Court of India pushed for a landmark central legislation to protect the rights of street vendors. And this resulted in the Central Government introducing the 'Street Vendors Bill' in Lok Sabha in 2012, which was passed in 2014. Thus, the 'Street Vendors (Protection of Livelihood and Regulation of Street Vending) 2014 Act' came into force from 1 May 2014.

Like many other laws in our country, this law is not accessible to the very people whose rights it seeks to protect — the street vendors. Understanding the law is the first step toward being vigilant and participating in its implementation. This graphic booklet is an attempt to take that first step, an attempt to explain a few important aspects of the law in an accessible manner, using the visual medium. This comic is thus intended to act as a resource for all street vendors and street vendor support groups.

Credits

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*This comic is brought to you by the **Alternative Law Forum**,
 Bengaluru, in solidarity with the **Bengaluru Jilla Beedhi
 Vyaapaari Sanghatanegala Okkuta**.*

KUMAR AND KAMALA WERE FARMERS.
WHEN THERE WERE NO RAINS, THEY WERE
FORCED TO MOVE TO THE CITY, LEAVING
BEHIND THEIR DAUGHTER SHANTI.



WITH THE HELP OF SOME RELATIVES, THEY BECAME STREET VENDORS. IN THE CITY, THEY MET SHANCHA MARY AND MUNIRAJU, TWO OTHER VENDORS WHO SOLD ON THE SAME STREET.

"I GREW UP IN BANGALORE, AND LIVE IN A SLUM NEARBY," MUNIRAJU TOLD THEM. "FOR MANY YEARS, I HAVE BEEN SELLING FRUITS. THERE ARE NO OTHER JOBS FOR PEOPLE LIKE ME WITHOUT MUCH EDUCATION."



"I LIVE IN THE SAME SLUM," SAID SHANCHA MARY. "MY HUSBAND DOESN'T HAVE A JOB. I HAVE TWO SONS."

EVERY DAY KUMAR AND KAMALA WOULD GO TO THE MARKET AT 3 A.M. TO GET FRESH VEGETABLES, CARRYING HEAVY BAGS AND BASKETS IN THE BUS.

BE IT RAIN, HEAT, OR COLD WEATHER, THEY STOOD IN THEIR SPOT AND VENDED.



A FEW MONTHS PASSED. SLOWLY, THEY STARTED TO GET REGULAR CUSTOMERS. THE BUSINESSMAN SHAKEEL WAS ONE SUCH REGULAR.

ANOTHER WAS ANITA'S GRANDMOTHER. THE SCHOOL BUS DROPPED LITTLE ANITA NEAR THEIR CART EVERY DAY, AND SHE WOULD WAIT WITH KAMALA UNTIL HER GRANDMOTHER PICKED HER UP.



AND THEN THERE WAS THE POLICEMAN, SHIVA, WHOSE SISTER LIVED NEARBY.

BUT EVEN WITH ALL THESE NEW FRIENDS, KUMAR AND KAMALA STILL MISSED THEIR HOME, AND THEY OFTEN THOUGHT ABOUT THEIR FARM.





IN SIX MONTHS' TIME, KUMAR HAD FOUND A SECOND JOB AS A GARDENER.



AND KAMALA ALSO FOUND ANOTHER JOB, SUPPLYING TEA.



SOON, IT WAS ALMOST A YEAR SINCE THEY FIRST MADE THE CITY THEIR HOME. THEY HAD MANAGED TO SAVE ENOUGH TO MOVE TO A RENTED HOUSE. NOW, THEIR DAUGHTER SHANTI COULD ALSO JOIN THEM.

LITTLE DID THEY KNOW WHAT WAS TO COME.

ONE AFTERNOON, A GANG OF THUGS PAID THEM A VISIT.

"YOU HAVE ONE WEEK TO VACATE," SAID THE THUGS. "OUR BOSS IS GOING TO BUILD A MALL HERE."

"BUT WHERE WILL WE GO?" ASKED THE VENDORS.



THE THUGS BECAME AGGRESSIVE. "WHAT YOU ARE DOING IS ILLEGAL! YOU CAN'T BE ON THE ROAD. ONE WEEK. REMEMBER. IF YOU DON'T LEAVE -- YOU DON'T WANT TO WAIT AND FIND OUT WHAT WILL HAPPEN."

THE NEXT DAY, THE POLICEMAN SHIVA CAME TO THEIR CART TO BUY VEGETABLES FOR HIS SISTER.

"EN AITHU?" SHIVA ASKED. "WHY ARE YOU BOTH LOOKING SO SAD?"

"THEY ARE EVICTING US, SIR," SAID KUMAR.

"BUT WITH THE NEW LAW, NO ONE CAN EVICT YOU!" SAID SHIVA.



"IN FACT," HE CONTINUED, "THE POLICE DEPARTMENT HAS ISSUED A CIRCULAR - NO STREET VENDOR CAN BE EVICTED OR RELOCATED UNTIL THE BBMP CONDUCTS A SURVEY OF ALL STREET VENDORS AND ISSUES ID CARDS. ANY MOVE TO EVICT IS AGAINST THE NEW LAW."

"WHAT LAW, SIR?" ASKED KAMALA.

"DON'T YOU KNOW? THE STREET VENDOR ACT OF 2014! BUT I DON'T HAVE TIME TO EXPLAIN -- MY SISTER WILL BE WAITING FOR ME. I'LL TELL YOU LATER!"





"WE NEED TO FIND OUT MORE ABOUT THIS LAW," SAID KAMALA.

"FIND OUT WHAT?" ASKED MUNIRAJU.

"THE POLICE SAID WE CAN'T BE EVICTED, ANNA," SAID KAMALA.
"THERE IS SOME NEW LAW, IT SEEMS."

'OH!'

"WHAT HAPPENED?" ASKED LITTLE ANITA'S GRANDMOTHER, WHO HAD JUST ARRIVED.



"AJJI, SOME MEN CAME. THEY ARE TRYING TO EVICT US."

"BUT YOU PEOPLE CANNOT GO! WHAT WILL I DO WITHOUT YOU? WHAT ABOUT ANITA? WHOM WILL SHE WAIT WITH TILL I COME? MY DAUGHTER CAN STAY BACK LATE WHEN SHE VISITS ME, BECAUSE SHE KNOWS YOU'LL BE NEAR THE BUS STOP AND SHE CAN WAIT THERE IN SAFETY. YOU ARE LIKE OUR EYES AND EARS ON THE STREET!"

LATER THAT NIGHT, SHANTHI OVERHEARD THEM TALK ABOUT WHAT HAD HAPPENED THAT DAY.

"WHAT IS THIS LAW, APPA?"

"NOTHING, NOTHING," SAID KUMAR. "LET'S JUST EAT."

THE NEXT MORNING, AT SCHOOL, SHANTHI WENT LOOKING FOR HER FRIEND JENNIFER.

"JENNIFER, YOU TOLD ME ABOUT A POSTER, NO? CAN YOU SHOW IT TO ME AFTER SCHOOL?"

SHANTHI RETURNED HOME LATE THAT DAY.

"WHERE WERE YOU?" ASKED KAMALA. "I WAS SO WORRIED!"

"AMMA, LISTEN," SAID SHANTHI. "JENNIFER SHOWED ME A POSTER NEAR HER HOUSE. IT SAYS THERE IS A MEETING OF STREET VENDORS TOMORROW, ABOUT THAT NEW LAW. IT IS HAPPENING AT THE UNION OFFICE ON DN ROAD."

KUMAR AND KAMALA WENT TO THE UNION OFFICE THE NEXT DAY. THEY WERE MET BY A MAN AND A WOMAN.

"NAMASKAR!" SAID THE WOMAN. "I AM NEELA, AND THIS IS IMRAN. WE ARE A UNION OF STREET VENDORS. WE WORK FOR STREET VENDORS, AND OUR MEMBERS ARE ALL VENDORS LIKE YOU."

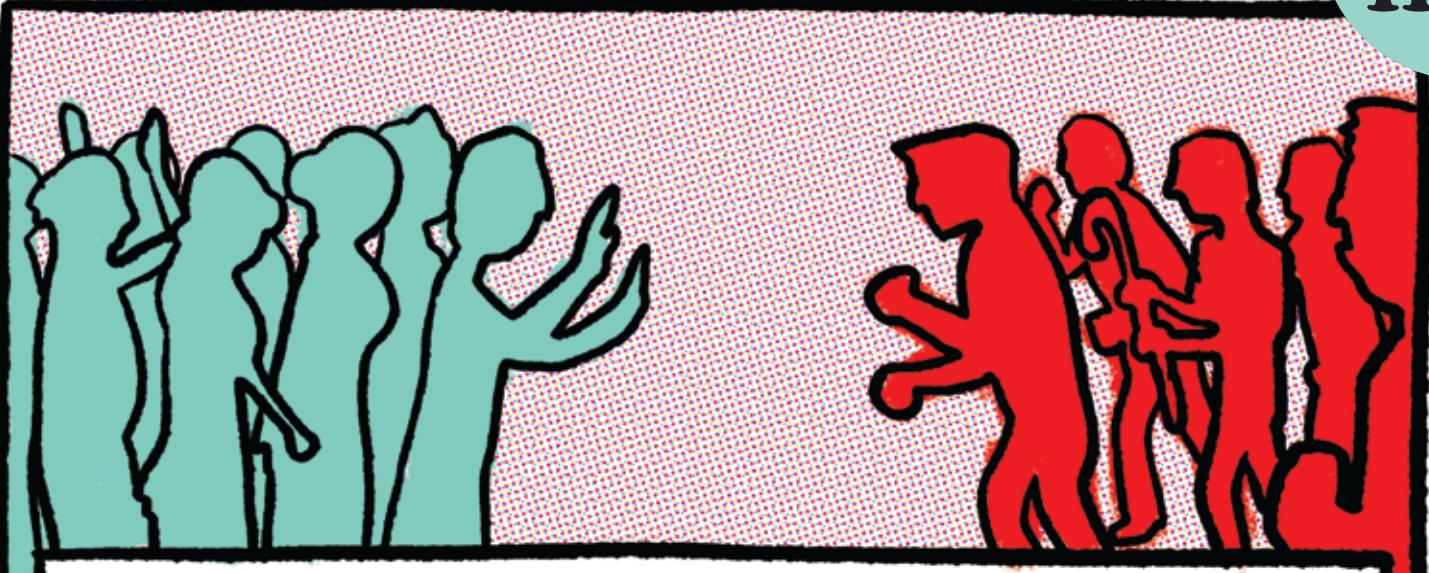


"MADAM," SAID KUMAR, "RECENTLY, WE WERE ASKED TO LEAVE BY SOME MEN. THEY SAID A MALL IS GOING TO BE BUILT NEAR WHERE WE VEND."

"THEY ARE WRONG," SAID NEELA. "IN 2014, THE GOVERNMENT OF INDIA PASSED A LAW SAYING STREET VENDING IS A LAWFUL ACTIVITY. NO ONE CAN STOP YOU FROM VENDING."

"BUT THEY THREATENED US," SAID KAMALA.

"DON'T WORRY," SAID NEELA. "YOU ARE NOT ALONE ANYMORE! THE ENTIRE UNION IS BEHIND YOU!"



THE NEXT DAY, THE GANG OF THUGS RETURNED. BUT THIS TIME, THE VENDORS WERE NOT ALONE. NEEL, IMRAN AND OTHER UNION MEMBERS WERE WITH THEM.

"YOU CANNOT EVICT ANYONE FROM HERE," SAID IMRAN.

"WHO ARE YOU?" ASKED ONE OF THE THUGS.

"WE ARE FROM THE UNION OF STREET VENDORS!" SAID NEELA. "STREET VENDING IS OUR RIGHT. WE HAVE A NEW STREET VENDORS LAW THAT SAYS NO ONE CAN EVICT US."

THE THUGS GOT ANGRY, AND ATTACKED THE VENDORS.



SHIVA, THE POLICEMAN, ARRIVED JUST IN TIME TO STOP THE THUGS. "STOP THIS!" HE SHOUTED. "YOU ARE UNDER ARREST! FIRST, YOU CANNOT EVICT STREET VENDORS - THE LAW CLEARLY SAYS THAT. AND SECOND, HOW DARE YOU HIT ANYONE?"

"THANK YOU SIR, FOR COMING AS SOON AS I CALLED YOU," SAID KUMAR.

"NO THANKS NEEDED," SAID SHIVA. "IT IS OUR DUTY TO PROTECT STREET VENDORS."

THE NEXT WEEK, THE VENDORS ATTENDED THE UNION MEETING.

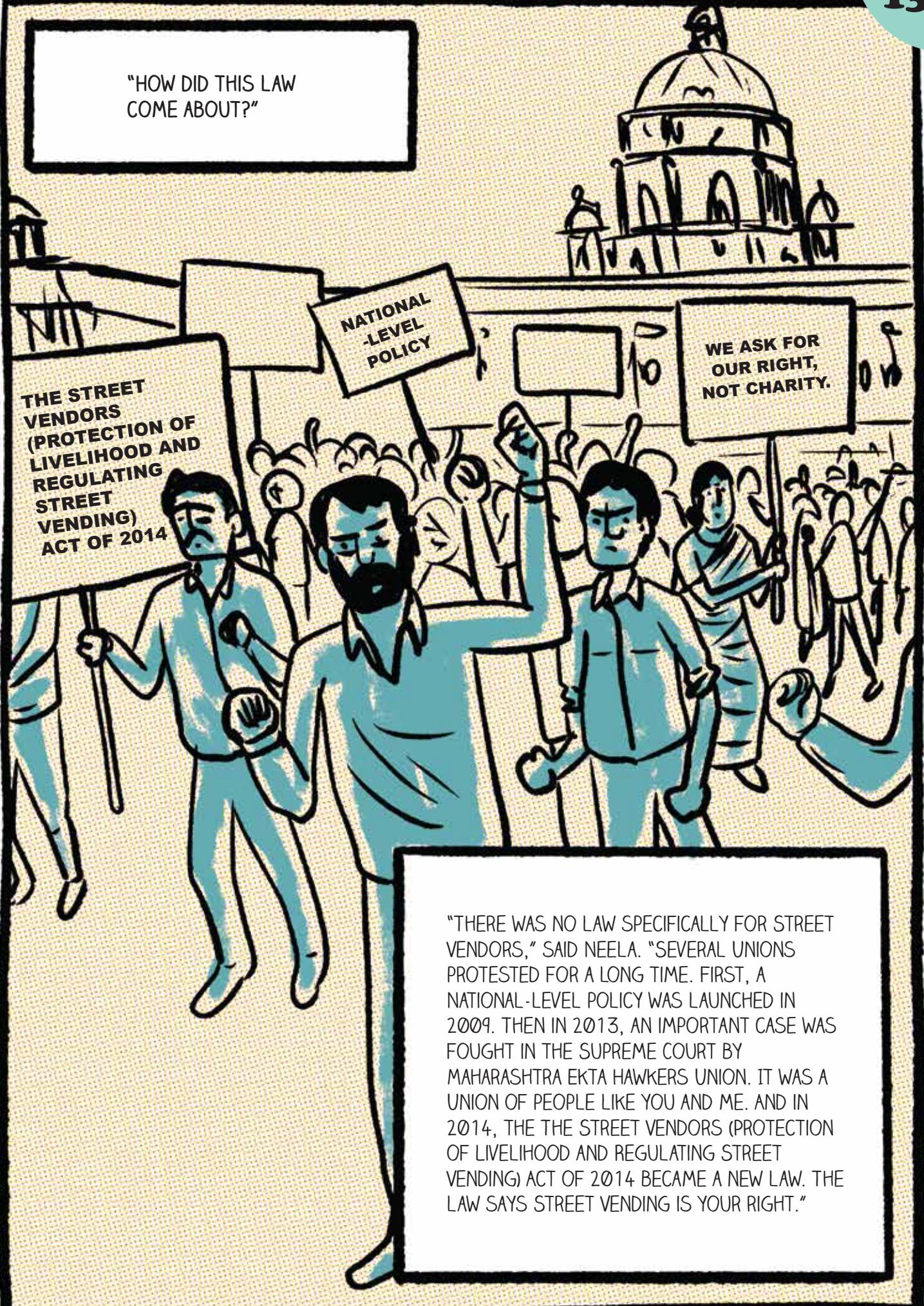


NEELA EXPLAINED: "IN 2014, THE GOVERNMENT OF INDIA PASSED A LAW ON STREET VENDING. UNDER THE LAW, STREET VENDING IS A LAWFUL ACTIVITY - PAKKA LEGAL! THAT MEANS, NO ONE CAN STOP YOU FROM VENDING."

BUT MANY QUESTIONS REMAINED. "HOW DID THIS LAW COME ABOUT?" ASKED THE VENDORS. "WHAT DO YOU MEAN NO ONE CAN STOP YOU? WILL THE LAW STOP EVICTIONS? WHAT DO YOU MEAN NEW LAW?"

NEELA AND IMRAN BEGAN ANSWERING THEIR QUESTIONS ONE BY ONE.

"HOW DID THIS LAW COME ABOUT?"



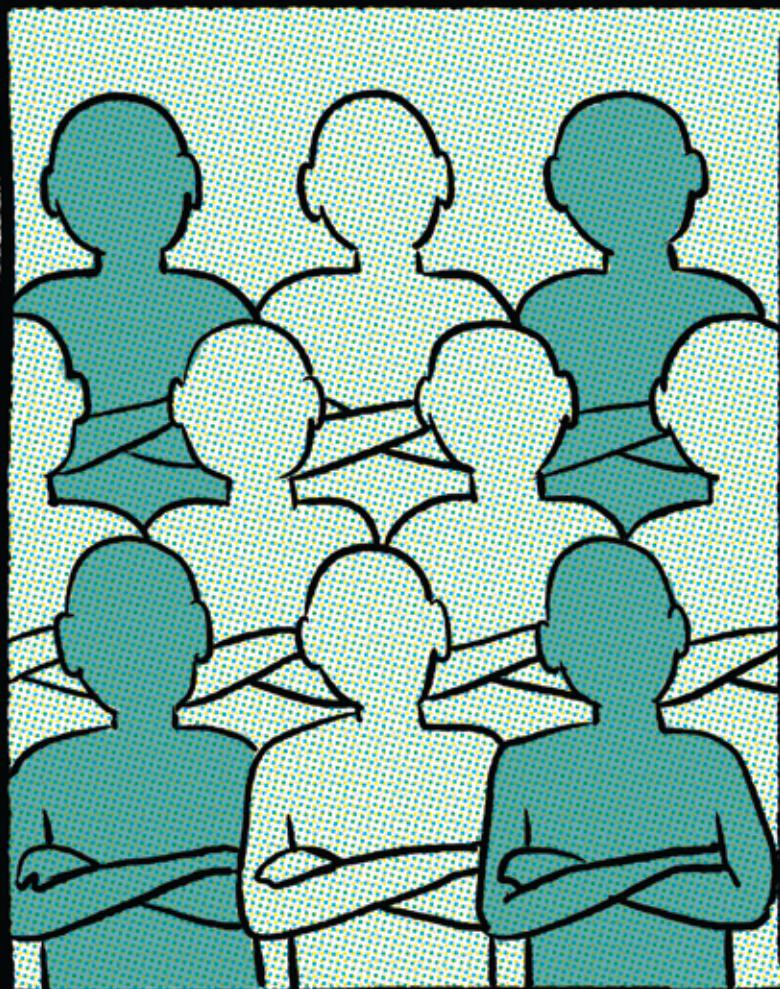


"THE NEW LAW SAYS YOU HAVE A RIGHT TO VEND ANYWHERE IN THE COUNTRY," SAID IMRAN. "MANY PEOPLE COME FROM THE NORTH OF INDIA TO WORK IN COMPANIES LIKE WIPRO AND INFOSYS IN BANGALORE, BECAUSE AS INDIANS WE CAN WORK ANYWHERE IN THE COUNTRY. IT IS OUR RIGHT. THE SAME WAY, PEOPLE FROM ANY STATE CAN COME AND VEND HERE. IT IS OUR RIGHT. THE LAW TELLS YOU - STREET VENDING IS PAKKA LEGAL!"



THE VENDORS HAD ANOTHER QUESTION: "HOW WILL THE GOVERNMENT KNOW WE ARE STREET VENDORS?"

"THE BBMP HAS TO FIRST CONDUCT A SURVEY OF ALL STREET VENDORS IN THE CITY," SAID IMRAN. "UNDER THE LAW, NO ONE CAN BE EVICTED TILL THE SURVEY IS DONE."



"TO CONDUCT THE SURVEY, BBMP WILL CREATE A TOWN VENDING COMMITTEE, WITH AT LEAST 40 PER CENT MEMBERS AS STREET VENDORS, AND REST FROM THE MUNICIPALITY, POLICE, NGOS, RWAS ETC TO IMPLEMENT THE LAW. THEREFORE, ACCORDING TO THE LAW, AT LEAST 40 PER CENT MEMBERS SHOULD BE STREET VENDORS."

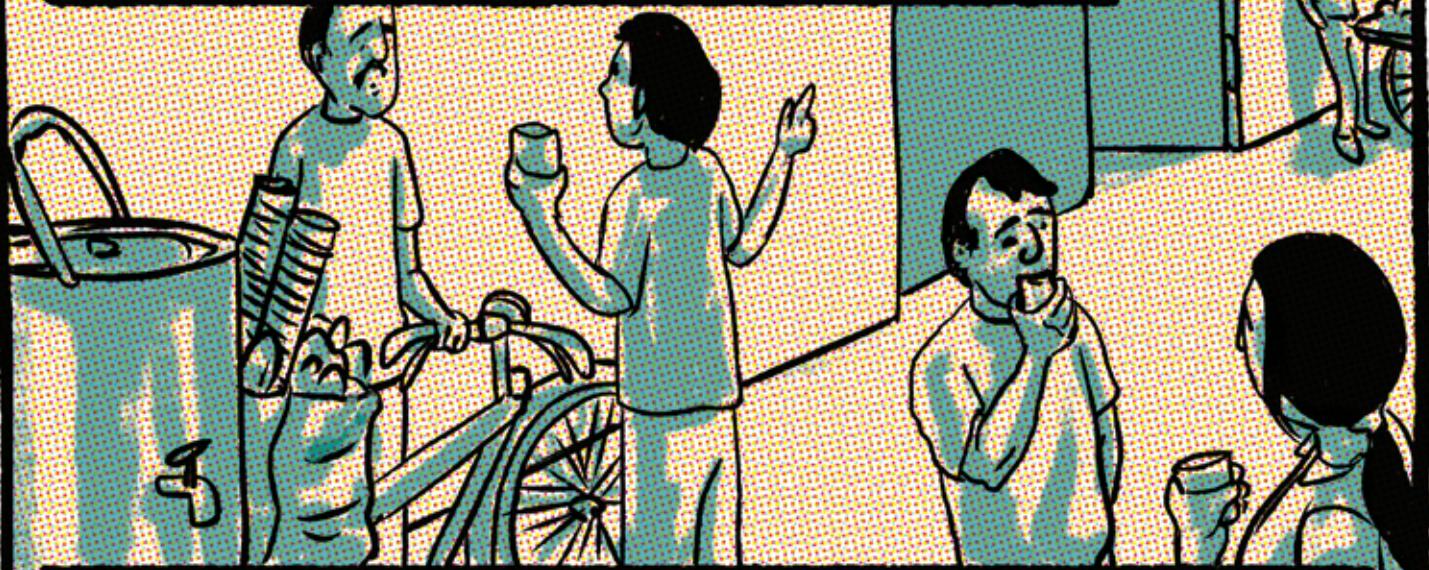


"SOMETIMES, THE TRAFFIC POLICE TRIES TO EVICT VENDORS SAYING PEDESTRIANS DON'T HAVE SPACE TO WALK, AND THAT VENDORS CAUSE TRAFFIC JAMS. BUT BOTH STREET VENDORS AND PEDESTRIANS HAVE A RIGHT TO THE FOOTPATH, AND ARE DEPENDENT ON EACH OTHER."

"BUT WHY DOES NO ONE SAY ANYTHING ABOUT CARS PARKED ON THE ROADS THAT CAUSE JAMS? DON'T THEY BLOCK ROADS?" ASKED MUNIRAJU. "WHY DOES EVERYONE BLAME STREET VENDORS? WE ARE JUST EARNING AN HONEST LIVELIHOOD! AND WHAT ABOUT BIG CARS WITH JUST ONE PERSON? ISN'T THAT BLOCKING ROADS? WHY ARE WE CALLED 'ENCROACHERS' AND NOT THESE POLLUTING VEHICLES?"



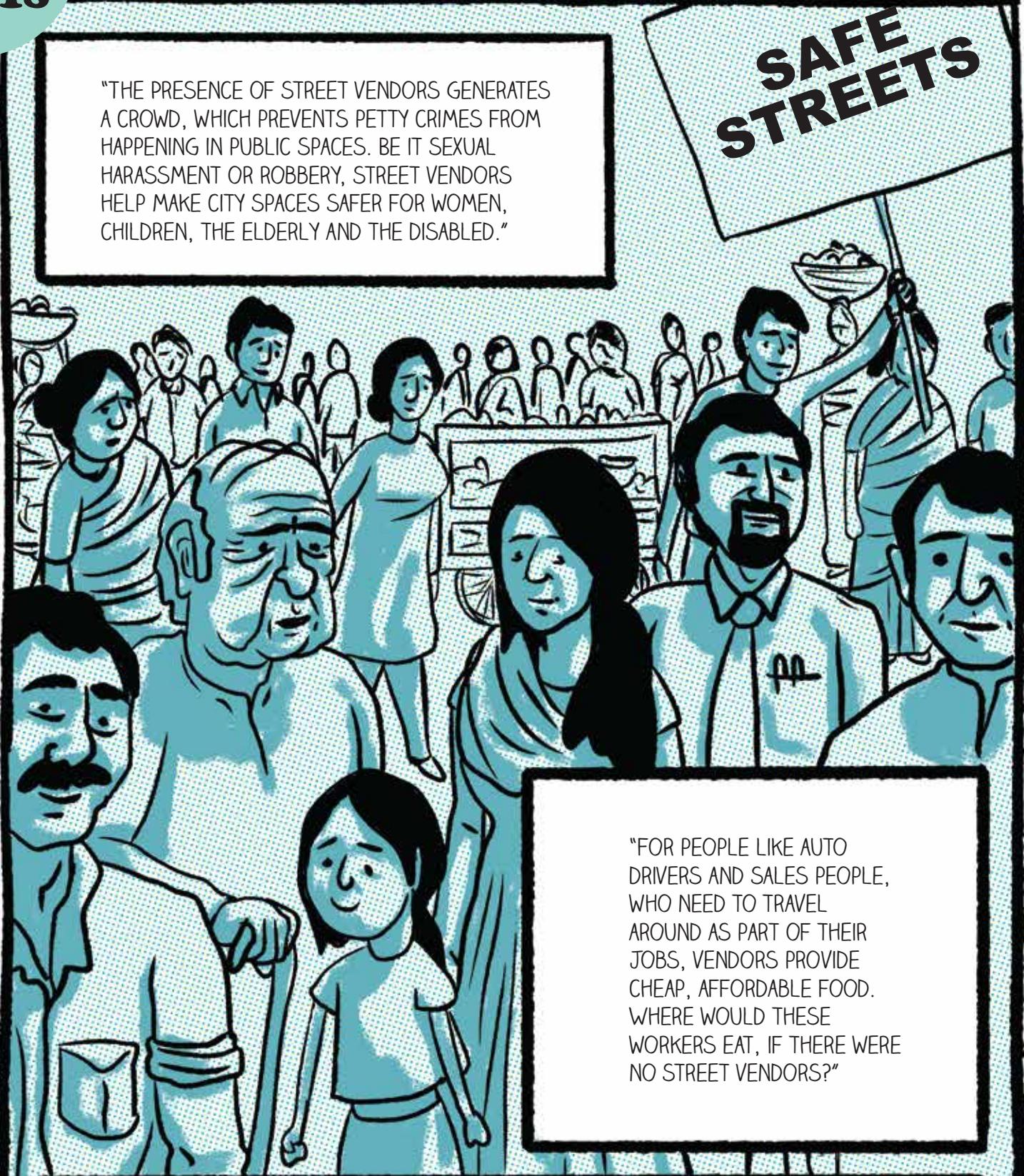
"AND WHAT IF SHOPKEEPERS OR RESIDENTS THREATEN TO MOVE US OUT OF THE FOOTPATH?"



"SHOPS AND HOUSES HAVE A RIGHT TO ENSURE THAT ACCESS TO THEIR HOUSE OR GATE IS NOT BLOCKED," SAID NEELA. "IF WE DON'T BLOCK THAT, WE ARE NOT DOING ANY WRONG. DISCUSS ANY PROBLEM AMICABLY. IF THEY INSIST YOU VACATE FOR NO REASON, TELL THEM POLITELY THAT ONLY BBMP CAN REGULATE VENDING. AND TALK TO THE UNION. SOMETIMES THE POLICE FILES A PETTY CASE AGAINST VENDORS - UNDER SECTION 92 (G) OF KARNATAKA POLICE ACT OR SECTION 283 OF IPC. IF THIS HAPPENS, JUST DON'T PAY THE FINE - IF YOU PAY, IT IS AS THOUGH YOU ARE GUILTY. STREET VENDING IS NOT A CRIME - IT IS PAKKA LEGAL! TELL THE POLICE THAT YOU WOULD LIKE TO CHALLENGE THE CASE IN COURT AND TALK TO THE UNION. IN FACT, THE OFFICE OF THE POLICE COMMISSIONER HAS ISSUED A CIRCULAR ORDERING ITS OFFICERS TO LEARN ABOUT THE ACT."

"ASKING FOR HAFTA IS ILLEGAL. EVEN THE SUPREME COURT LAMENTED THIS INJUSTICE. THIS IS WHAT THE COURT SAID: '[STREET VENDORS] ARE A HARASSED LOT AND ARE CONSTANTLY VICTIMIZED BY THE OFFICIALS OF THE LOCAL AUTHORITIES, THE POLICE, ETC., WHO REGULARLY TARGET THEM FOR EXTRA INCOME AND TREAT THEM WITH EXTREME CONTEMPT. PERHAPS THESE MINIONS IN THE ADMINISTRATION HAVE NOT UNDERSTOOD THE MEANING OF THE TERM 'DIGNITY' ENSHRINED IN THE PREAMBLE OF THE CONSTITUTION.'"





"THE PRESENCE OF STREET VENDORS GENERATES A CROWD, WHICH PREVENTS PETTY CRIMES FROM HAPPENING IN PUBLIC SPACES. BE IT SEXUAL HARASSMENT OR ROBBERY, STREET VENDORS HELP MAKE CITY SPACES SAFER FOR WOMEN, CHILDREN, THE ELDERLY AND THE DISABLED."

SAFE
STREETS

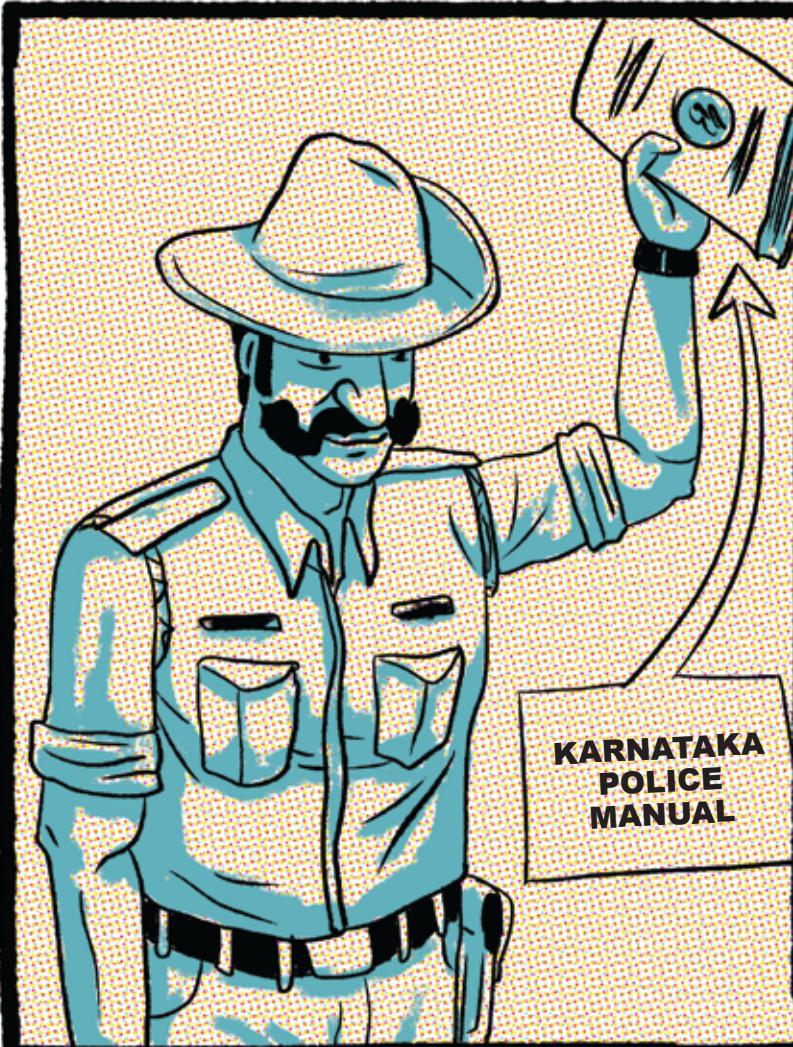
"FOR PEOPLE LIKE AUTO DRIVERS AND SALES PEOPLE, WHO NEED TO TRAVEL AROUND AS PART OF THEIR JOBS, VENDORS PROVIDE CHEAP, AFFORDABLE FOOD. WHERE WOULD THESE WORKERS EAT, IF THERE WERE NO STREET VENDORS?"

"STREET VENDORS ARE ECO-FRIENDLY. THEY USE PUSHCARTS, BICYCLES, AND BASKETS. AND THEY DON'T CONTRIBUTE TO AIR POLLUTION. NOR DO THEY USE ELECTRICITY. AND THE STREET VENDORS FEDERATION IS SWITCHING CONSCIOUSLY TO BIO-DEGRADABLE MATERIAL LIKE BANANA LEAVES AND RECYCLED PAPER."

"THE B.B.M.P. TOO CANNOT EVICT STREET VENDORS. THE LAW IS CLEAR THAT THE B.B.M.P. HAS TO FIRST CONDUCT A SURVEY OF ALL VENDORS, AND THEN ISSUE I.D. CARDS. TILL THEN, NO ONE CAN BE EVICTED OR RELOCATED. THE B.B.M.P. HAS ALSO ISSUED A NOTE ABOUT THIS. WHILE CLEARING FOOTPATHS, THE B.B.M.P. CANNOT VIOLATE THE STREET VENDOR ACT. ANY MOVE TO EVICT IS THUS AGAINST THE LAW!"



"THE KARNATAKA POLICE MANUAL INSTRUCTS THE POLICE TO BEHAVE COURTEOUSLY WITH ALL PEOPLE. THEY ADVISE THE POLICE TO SPEAK IN BAUVACHANA (PLURAL) AND NOT SINGULAR."



"FOR A SECOND, LET US THINK ABOUT WHAT IT MEANS WHEN SOMEONE TRIES TO EVICT US. THEY ARE SAYING WE ARE WRONG TO VEND ON THE STREETS."

"OUR LIFE DEPENDS ON VENDING. WE EARN VERY LITTLE. IF WE MADE A LOT OF MONEY, WE TOO WOULD HIRE A SHOP INSTEAD OF STANDING EVERY DAY IN THE SUN, WIND, RAIN, AND SMOKE TO MAKE A LIVING. WE EARN THROUGH HONEST MEANS, AND WE DON'T DEPEND ON ANYONE. WE ARE ENTREPRENEURS! STREET VENDING IS OUR RIGHT!"

"WHEN FAMILIES LIKE OURS MIGRATE FROM THE VILLAGE, WE CAN ONLY DO STREET VENDING OR CONSTRUCTION WORK. VENDING DOES NOT HAVE A LITERACY BARRIER, AGE BARRIER, OR LANGUAGE BARRIER. SOME OF US ARE DIPLOMA HOLDERS. WHEN THERE ARE NO GOVERNMENT JOBS OR FORMAL SECTOR JOBS FOR US, STREET VENDING PROVIDES US OUR LIVELIHOOD."



"CAN YOU IMAGINE
BENGALURU WITHOUT
KR MARKET, GANDHI
BAZAAR, MAJESTIC,
OR 8TH CROSS
MALLESWARAM?
IMAGINE WHAT IT
MEANS FOR A CITY TO
HAVE NO STREET
VENDORS."

"IT WILL BE A DISEASED
CITY, CHOKING ON ITS
FUMES. WITHOUT A
HEART, WITHOUT A SOUL."

"THE INDIAN LAW SAYS IT IS OUR
RIGHT TO VEND ON STREETS. NO ONE
CAN TAKE THAT RIGHT FROM US!"

"STREET VENDORS UNITE!
TOGETHER WE WILL FIGHT
FOR OUR RIGHTS!"

"STREET
VENDORS ARE
THE LIFELOOD
OF OUR CITIES.
LET US ALL
SUPPORT
THEM!"

Our Rights Under the Street Vending Act

Right to Vend

Right to stand for election to the Town Vending Committee

Right to be free from harassment by police and other authorities

Right to not be evicted / relocated till a survey under section 3(3) is done

Right to approach a Dispute Redressal Forum

Right for a new site or area on relocation

Right to be involved in the planning and identifying of relocation site

Right to be relocated in a manner that improves their livelihoods or atleast restores their standard of living

Right not to be relocated if the vendor is vending in a natural market

Right to be not relocated without 30 days notice

Right to be not evicted without 30 days notice

Goods shall be seized only as per procedure and vendors have a right to reclaim goods

Basic Steps to be Taken to Implement the Law

<i>What are the steps?</i>	<i>Who is responsible?</i>	<i>What does the law state?</i>
<u>1. Frame rules under the law</u> Rules cover important aspects such as manner of constituting the Town Vending Committee (TVC) , manner of elections to the TVC etc.	State Government	Sec 36. (1) The appropriate Government shall, within one year from the date of commencement of this Act, by notification, make rules for carrying out the provisions of this Act.
<u>2. Constitute the Town Vending Committee</u>	State Government	Sec 22. (1) The appropriate Government may, by rules made in this behalf, provide for the term and the manner of constituting a Town Vending Committee in each local authority.
<u>3. Frame Scheme</u> The Scheme will cover aspects such as method of conducting survey, criterion for issuing certificates of vending, principles of relocation etc.	State Government in consultation with Local Authority and TVC	Sec 38. (1) For the purposes of this Act, the appropriate Government shall frame a scheme, within six months from the date of commencement of this Act, after due consultations with the local authority and the Town Vending Committee, by notification, which may specify all or any of the matters provided in the Second Schedule.
<u>4. Conduct a survey of all existing street vendors</u>	TVC	Sec 3. (1) The Town Vending Committee shall, within such period and in such manner as may be specified in the scheme, conduct a survey of all existing street vendors, within the area under its jurisdiction, and subsequent survey shall be carried out at least once in every five years.
<u>5. Prepare a plan to promote street vending</u> The Plan is the document that shall have details of what areas are vending zones, what are non-vending zones etc.	Local Authority in consultation with the planning authority and TVC	Sec 21. (1) Every local authority shall, in consultation with the planning authority and on the recommendations of the Town Vending Committee, once in every five years, prepare a plan to promote the vocation of street vendors covering the matters contained in the First Schedule.
<u>6. Issue certificate of vending to all vendors covered in the survey</u> All street vendors covered in the survey must be given certificates of vending.	TVC	Sec 4. (1) Every street vendor, identified under the survey carried out under sub-section (1) of section 3, who has completed the age of fourteen years or such age as may be prescribed by the appropriate Government, shall be issued a certificate of vending by the Town Vending Committee, subject to such terms and conditions and within the period specified in the scheme including the restrictions specified in the plan for street vending.
<u>7. Make Bye-laws</u> Bye-laws provide for matters such as regulation of vending and regulation of traffic in vending zones.	Local Authority	Sec 37. Subject to the provisions of this Act or any rule or scheme made thereunder, the local authority may make bye-laws [...]

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