

Bill No. 136 of 2022

THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND
REGULATION OF STREET VENDING) AMENDMENT BILL, 2022

By

SHRI RAMESH CHAND BIND, M.P.

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BILL

*to amend the Street Vendors (Protection of Livelihood and Regulation of Street Vending)
Act, 2014.*

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows :-

1. (1) This Act may be called the Street Vendors (Protection of livelihood and Regulation
of Street Vending) Amendment Act, 2022.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification
5 in the Official Gazette, appoint.

Insertion of new section 13A.	2. After section 13 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (hereafter referred to as the principal Act), after section 13, the following section shall be inserted, namely:–	7 of 2014.
Right of Street Vendor for registration of his market as a natural market or heritage market.	“13A. Every Street Vendor, who possesses a certificate of vending either through himself or his representative, shall be entitled to move an application to the Town Vending Committee for registration of his market as a natural market or heritage market, as the case may be, in such manner as may be specified in the scheme.	5
Insertion of new section 26A.	3. After section 26 of the principal Act, the following section shall be inserted, namely:–	
Town vending Committee to determine the nature of market.	“26A. (1) The Town Vending Committee shall for the purpose of section 13A, constitute a Market Determination Committee to determine the nature of the market on receipt of application from the street vendor in this behalf.	10
	(2) The Market Determination Committee constituted under sub-section (1) shall consist of: –	
	(a) Municipal Commissioner or Chief Executive Officer, as the case may be, who shall be the Chairperson; and	15
	(b) such number of other members as may be prescribed, representing the local authority, including traffic police, health officer, association of street vendors, and street vendors from the market applied for:	
	Provided that the number of representation of the street vendors shall not be less than forty per cent. of vendors representing of the market being registered to be nominated by the market vendors themselves in such manner as may be prescribed.	20
	(3) The Market Determination Committee shall within thirty days of the receipt of application by the street vendor in this behalf submit it to the Town Vending Committee with its recommendations on whether the market shall be declared as a natural market or a heritage market, as the case may be.	25
	(4) The Chairperson and the members of the Market Determination Committee shall receive such allowances as may be prescribed by the appropriate Government.”.	

STATEMENT OF OBJECTS AND REASONS

The Street Vendors (Protection of Livelihood and Regulation of Street Vending), Act, 2014 was enacted to ensure legal protection and recognition of street vendors and their fundamental right under article 19(1)(g) of the Constitution. It was a landmark statute and accepted and appreciated by all the stakeholders involved.

The Act provided a general guidelines to the States to form rules and schemes to implement these guidelines into a more comprehensive manner. While most of the States have started implementing the Act, the aspects of natural markets and heritage markets, which though were mentioned, were not elucidated upon in detail. It led to non-compliance of the mandate of the legislature. There have been cases around the country where natural markets or heritage markets are being relocated without proper planning.

Thus, this Amendment Bill is being proposed to enumerate upon the rights of the street vendors and the duties of the Town Vending Committees in regard to the declaration of markets as natural or heritage markets.

The Bill, therefore, seeks to amend the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 with a view to:—

(a) empower the street vendors to apply for a market to be declared as a natural or heritage market;

(b) make it a duty upon the Town Vending Committee to constitute a Market Determination Committee to investigate whether a market is a natural market or heritage market and recommend the Committee for the declaration.

Hence this Bill.

NEW DELHI;
July 5, 2022.

RAMESH CHAND BIND

FINANCIAL MEMORANDUM

Clause 3 of the Bill *vide* proposed section 26A provides for the establishment of Market Determination Committee to determine the appreciation of street vendor for registration of this market as natural market or heritage market, as the case may be. It also provides for appointment of Chairperson and members to the Committee and provision of allowances to them. The Bill, therefore, if enacted would involve expenditure from the Consolidated Fund of India. It is estimated that an expenditure of about rupees fifty crore would be incurred per annum from the Consolidated Fund of India.

A non-recurring expenditure of about rupees ten crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill *vide* proposed section 26A provides for the appointment of members of the Market Determination Committee to determine the nature of market as applied by the street vendors in such manner as may be prescribed. As the rules will relate to matters only, the delegation of legislative power is, therefore, of a normal character

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(Shri Ramesh Chand Bind, M.P.)