

**MINISTRY OF HOUSING AND URBAN AFFAIRS
NIRMAN BHAWAN, NEW DELHI**

New Delhi, the 8th April, 2022

**PUBLIC NOTICE
ON WEBSITE OF MINISTRY OF HOUSING AND URBAN AFFAIRS**

**SOLICITING SUGGESTIONS/ COMMENTS/ INPUTS FROM THE STAKEHOLDERS ON THE
DRAFT "STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF
STREET VENDING) AMENDMENT BILL, 2022**

The Street vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 was enacted in 2014 to protect the rights of urban street vendors and to regulate street vending activities and for matters connected therewith or incidental thereto.

2. Section 20 (1) of the Act authorizes the appropriate Government to designate a Judicial officer or an authority who has held in the past the post of a civil judge or the judicial Magistrate to preside over the grievance redressal mechanism. Section 20 (4) of the Act provides that any person who is aggrieved by the decision of the Committee may prefer an appeal to the local authority.

3. In LPA No. 136/2016- Bholaram Patel Vs. NDMC & Anr, High Court of Delhi has noticed an anomaly that the decision of such grievance redressal committee is by way of an appeal under section 20 (4) is to the concerned local authority. This can lead to incongruous situations. If the dissatisfied applicant urges that his claim is rejected, one of the parties interested in the litigation could be the local authority itself. The definition of local authority under Section 2 (c), however, gives, no room for an interpretation other than the concerned Corporation or the authorities under its hierarchy in terms of the controlling parent statute. This incongruity has been highlighted and needs suitable redressal by way of an amendment to the Act itself.

4. Ministry of Housing and Urban Affairs has prepared a draft Bill titled "Street Vendors (Protection of Livelihood and Regulation of Street Vending) Amendment Bill, 2022 to achieve the above objectives. Features of the draft Bill is attached herewith.

5. As part of pre-legislative consultative process, the suggestions/ comments/ inputs from the stakeholders are solicited, preferably as per following format within a month from the date of issue of the notice on e-mail ids: bs.balachandran@nic.in or suchit.goyal@nic.in

Section/ Sub-section/ Clause/ Proviso of the Bill	Suggestion/ Comments/ Input



(B.S. Balachandran)

Under Secretary to the Govt. of India
Ministry of Housing & Urban Affairs
Room No. 210-B, Nirman Bhawan,
New Delhi-110011

Features of Draft Bill titled “Street Vendors (Protection of Livelihood and Regulation of Street Vending) Amendment Bill, 2022”

Section/ Sub- Section	Provisions as per	Proposed Amendment
20.(4)	<p><i>Any person who is aggrieved by the decision of the committee may prefer an appeal to the local authority in such form, within such time and in such manner as may be prescribed.</i></p>	<p>in draft Bill titled “Street Vendors (Protection of Livelihood and Regulation of Street Vending) Amendment Bill, 2022”</p> <p>Any person aggrieved by any decision or order of the committee, may prefer an appeal to the concerned civil court having pecuniary jurisdiction, within a period of sixty days from the date of communication of the decision or order of such committee to the person:</p> <p>Provided that the civil court may entertain any appeal after the expiry of sixty days, if it is satisfied that there was a sufficient cause for not filing it within that period.;</p>
20.(5)	<p><i>The local authority shall dispose of the appeal received under sub-section (4) within such time and in such manner as may be prescribed:</i></p> <p><i>Provided that the local authority shall, before disposing of the appeal, give an opportunity of being heard to the aggrieved person</i></p>	<p>No appeal shall lie against any decision or order made by the committee with the consent of the parties.</p>
36.(2)(f)	<p><i>the form, the time within which and the manner in which an appeal may be filed under sub-section (4) of section 20;</i></p>	<p>Omitted</p>
36.(2)(g)	<p><i>the time within which and the manner in which an appeal shall be disposed of under sub-section (5) of section 20;</i></p>	<p>Omitted</p>