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Gendered Vulnerabilities in Urban Food Vending: A Socio-Legal Analysis Under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014

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Abstract

Women engaged in urban food vending play an important role in supporting household incomes and providing affordable food to city residents. Despite their contribution, they may face several difficulties in carrying out their work, including uncertainty over vending locations, limited access to finance, inadequate public facilities, safety concerns and the burden of balancing paid work with domestic responsibilities. These challenges may become more difficult for women who also experience disadvantages relating to caste, income, migration status, disability or lack of access to local support networks. This paper examines the legal and institutional protection available to women food vendors under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. It analyzes the provisions of the Act relating to surveys, certificates of vending, vending zones, Town Vending Committees, relocation, eviction and grievance redressal, with specific reference to the requirement that one-third of the members representing street vendors in Town Vending Committees should be women. The study also takes into consideration constitutional guarantees of equality, non-discrimination, freedom of occupation and right to life and livelihood. The paper adopts a doctrinal and socio-legal approach and is based on statutory provisions, constitutional principles, judicial decisions and relevant scholarly and policy materials. It examines the availability of legal protection for women from different social and economic backgrounds using a feminist legal theory and intersectionality lens. The paper argues that while formal recognition under the Act is important, it is not enough by itself. Meaningful participation in decision making, clear administrative procedures, secure access to vending spaces and practical grievance mechanisms are needed to make livelihood protection effective. It concludes that a gender-responsive approach to street vending should balance the livelihood interests of women vendors with the legitimate regulation of public spaces and food safety requirements.

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I. INTRODUCTION

Street food vending is a familiar part of everyday life in Indian cities. It provides affordable meals to workers, students and residents, while also supporting the livelihoods of people who may have limited opportunities in the formal labour market. Women are an important part of this sector. Some prepare food for sale, some manage stalls of their own, and others contribute to family-run vending businesses. However, their involvement does not invariably guarantee stable employment or equitable access to government assistance.[1]

Many women find that operating a food stand requires them to handle several demands at once. They may have to cope with municipal requirements, find a suitable location to sell, obtain working capital, maintain basic cleanliness and handle household chores. Inadequate sanitation, unsafe working environments, uncertainty about vending locations and limited access to formal credit can make daily work more difficult. These problems are not experienced in the same way by every woman. Caste, income, migration status, disability, family circumstances and access to social networks may all influence the opportunities available to an individual vendor.[2]

The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, was enacted to provide a legal framework for recognising street vendors and regulating street vending. It includes mechanisms relating to surveys, certificates of vending, vending zones, Town Vending Committees, relocation, eviction and grievance redressal.[3] The idea behind these provisions is to add some structure to the relationship between vendors and local authorities. But legal protections on paper do not necessarily mean that all vendors can access them in practice. The processes can be difficult to navigate, and information is not always shared with all vendors. Involvement in decision-making may still be limited.

This paper examines whether the legal and institutional framework under the 2014 Act is adequate to respond to the situations of women engaged in urban food vending. It looks at access to vending licences, security of vending sites, women's participation in Town Vending Committees and the availability of effective remedies where livelihoods are affected by

[1] INT'L LABOUR ORG., WOMEN AND MEN IN THE INFORMAL ECONOMY: A STATISTICAL PICTURE (3d ed. 2018).
[2] U.N. WOMEN, PROGRESS OF THE WORLD'S WOMEN 2019–2020: FAMILIES IN A CHANGING WORLD (2019).
[3] The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, No. 7 of 2014, INDIA CODE (2014).

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administrative decisions. It also considers the wider constitutional principles of equality, freedom of occupation and protection of life and personal liberty.[4]

The study follows a doctrinal and socio-legal approach. It considers the relevant statutory provisions, constitutional principles, judicial decisions, scholarly writing and policy materials. Where reliable qualitative evidence is available, it may be used to place the legal framework in the context of vendors' experiences. The paper does not treat every difficulty discussed as a proven or universal experience; rather, it identifies issues that require careful legal analysis and, where necessary, further field-based research.[5]

The central argument is that livelihood protection must involve more than formal recognition. Women food vendors need procedures that are realistically accessible to them, a meaningful voice in decisions affecting their work, fair treatment by public authorities and practical ways to challenge decisions that threaten their income. The framework should also, in a gender-responsive manner, protect livelihoods, enable lawful regulation of public spaces and promote more inclusive urban planning.

II. Conceptual Foundations: Gender, Vulnerability and Informal Urban Livelihoods

A. Understanding gendered vulnerability

Gendered vulnerability describes the disadvantages that may arise from unequal social expectations, access to resources and treatment by institutions. In food vending, these disadvantages can appear in different forms: difficulty obtaining finance, limited influence over decisions about vending locations, concerns about personal safety or the need to fit paid work around unpaid care responsibilities.[6] Informality itself can make work insecure, but gender may shape how that insecurity is experienced.

It is important not to assume that women are vulnerable simply because they are women. Their circumstances are shaped by the conditions in which they work and by the resources available to them. A woman who has secure access to a vending location, support from a vendor association and sufficient working capital may face a different set of challenges from a woman who works alone, has limited documentation and depends on each day's sales.[7] The purpose of

[4] *Olga Tellis v. Bombay Municipal Corp.*, (1985) 3 SCC 545 (India).
[5] *Sodan Singh v. New Delhi Municipal Committee*, (1989) 4 SCC 155 (India).
[6] Saanchi Saxena, *Gender, Caste, and Street Vending in India: Towards an Intersectional Geography*, 56 AREA e12939 (2024), https://doi.org/10.1111/area.12939.
[7] Fiona H. McKay & Richard H. Osborne, *Exploring the Daily Lives of Women Street Vendors in India*, 32 DEV. IN PRAC. 460, 460–67 (2022), https://doi.org/10.1080/09614524.2021.1998377.

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examining gendered vulnerability is therefore to identify the barriers that produce unequal outcomes, rather than to portray all women vendors as having the same experience.[8]

B. Feminist legal theory and livelihood rights

Feminist legal theory asks whether laws and institutions that appear neutral in their wording operate fairly in people's everyday lives. A rule may apply equally to all vendors but still be harder for some women to follow because of unequal access to information, time, transport, documentation or administrative assistance. Formal equality is therefore an important starting point, but it may not be enough to achieve equality in practice.[9]

This perspective is useful when examining the Street Vendors Act, 2014. The relevant question is not only whether the Act recognises street vendors generally, but also whether its procedures can be accessed by women in different social and economic circumstances. For example, a registration process may appear straightforward on paper but become difficult if a vendor cannot obtain the required documents or cannot attend an office during working hours.[10] A feminist legal analysis pays attention to these practical effects and asks whether implementation can be made more accessible without weakening legitimate regulatory objectives.

C. Intersectionality and overlapping disadvantage

Intersectionality recognises that gender does not operate separately from other aspects of a person's social and economic position. Caste, class, migration status, disability, age and family circumstances may affect a woman's access to finance, public space and administrative support. These factors can overlap and produce different experiences of disadvantage.[11]

For instance, a migrant woman with limited documentation and little money to spare may find it harder to establish her vending status than a vendor who has lived in the area for many years and has access to local networks. This example illustrates a possible barrier; it should not be treated as evidence that all migrant women experience the same difficulty. An intersectional approach helps the study avoid generalisations and encourages authorities to consider the different circumstances of the people affected by their decisions.[12]

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[8] U.N. WOMEN, FORECASTING TIME SPENT IN UNPAID CARE AND DOMESTIC WORK (Oct. 27, 2023), https://data.unwomen.org/publications/forecasting-time-spent-unpaid-care-and-domestic-work.

[9] Martha Albertson Fineman, *The Vulnerable Subject: Anchoring Equality in the Human Condition*, 20 YALE J.L. & FEMINISM 1, 2–3 (2008).

[10] Street Vendors Act §§ 3–5; *Olga Tellis*, (1985) 3 SCC at 572.

[11] Kimberlé Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, 43 STAN. L. REV. 1241, 1244–45 (1991), https://doi.org/10.2307/1229039.

[12] COMM. ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN, *General Recommendation No. 28 on the Core Obligations of States Parties Under Article 2 of the Convention on the Elimination of All Forms of Discrimination Against Women*, ¶ 18, U.N. Doc. CEDAW/C/GC/28 (Dec. 16, 2010).

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D. Informal work, urban space and unpaid care

Street vending depends heavily on access to public space. The location of a stall can determine how many customers a vendor reaches, how much income she earns and whether she can maintain regular business. Changes to vending arrangements may therefore have immediate economic consequences. At the same time, urban authorities must consider traffic, public access, sanitation and other legitimate uses of public spaces.

Women vendors may also have to combine vending with childcare, household work and care for older or unwell family members. These duties can reduce the time they have to attend meetings, participate in training or pursue administrative complaints. Selling food for long hours can be made more difficult by inadequate toilets, drinking water, lighting and waste-disposal facilities.[13]

Taken together, feminist legal theory, intersectionality and the study of informal labour provide a framework for assessing whether statutory protection is meaningful in practice. They direct attention to both the content of the law and the conditions in which women vendors are expected to use it.[14]

III. Legal framework for street vending in India

The regulation of street vending is a trade-off between the livelihood interests of vendors and the management of urban public space. Vendors provide essential goods and services, including affordable food, but their work may be affected by uncertainty over where they can operate and by restrictions imposed by local authorities. For women food vendors, the consequences of losing a vending location may be particularly serious where the business is a major source of household income.

The Constitution provides the starting point for assessing state action in this area. Article 14 guarantees equality before the law and equal protection of the laws. Article 15 prohibits discrimination on certain grounds, including on the ground of sex. Article 19(1)(g) secures the right of all citizens to practise any profession, or to carry on any occupation, trade or business, subject to the reasonable restrictions imposed under Article 19(6). Article 21 protects life and personal liberty and has been interpreted by the Supreme Court in a manner relevant to livelihood and human dignity. These guarantees do not grant vendors an unlimited right to

[13] Int'l Labour Org., Care Work and Care Jobs for the Future of Decent Work (2018).
[14] Street Vendors Act §§ 3, 4, 12, 18.

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occupy any public place, but they do provide standards against which regulation and administrative decisions can be measured.[15]

The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, gives a statutory framework for the identification and regulation of street vendors. Its mechanisms include surveys, certificates of vending, the designation of vending zones, Town Vending Committees and procedures relating to relocation, eviction and grievance redressal.[16] The purpose of these arrangements is to make street vending subject to a more structured system rather than leaving vendors entirely dependent on informal or inconsistent administrative practices.

But the effectiveness of the Act is dependent on the functioning of these mechanisms. A vendor who does not know how to apply for a certificate, cannot access the relevant office or does not understand how to challenge an adverse decision may not receive the practical benefit of statutory protection. There can be increased costs in time and money for women vendors, who often carry additional responsibilities at home, so the working of the Town Vending Committees, the transparency of the registration process and the complaints mechanisms matter particularly to them. Women selling ready meals may also face additional legal requirements.[17]

The Street Vendors Act operates alongside local legislation and public health and food regulation. While there may be many public benefits associated with this regulation, it may become difficult to comply with due to overlapping procedures and unclear information.[18] A proper assessment should identify how the different requirements interact and whether vendors receive clear guidance about what they must do. The legal framework thus offers important protections, but its value cannot be judged by statutory language alone. It must also be assessed by asking whether vendors can understand, access and rely on the procedures established for them.[19]

IV. GENDERED VULNERABILITIES IN URBAN FOOD VENDING

A. Economic insecurity and access to finance

Many women food vendors operate on a small scale and rely on daily sales to meet both business costs and household expenses. Their working capital may be limited, leaving little room to

[15] INDIA CONST. arts. 14, 15, 19(1)(g), 19(6), 21.
[16] Street Vendors Act §§ 3–5.
[17] *Id.* §§ 12, 18, 20, 22.
[18] The Food Safety and Standards Act, No. 34 of 2006, INDIA CODE (2006), § 31.
[19] Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011, reg. 2.1.1, sch. 4 (India).

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absorb a fall in demand, an increase in ingredient prices or an unexpected interruption to trading. Access to formal credit and business support can influence whether a vendor is able to maintain or improve her business.[20]

Where a vendor has no savings or suitable social protection, illness or loss of a vending location can quickly affect household finances.[21] These risks should not be assumed to apply equally to every woman vendor, but they demonstrate why livelihood security involves more than permission to trade. Predictable access to vending space, understandable administrative processes and information about financial support can all contribute to greater stability.[22]

B. Gender discrimination and social inequality

Social expectations and unequal access to resources may influence how women vendors deal with suppliers, officials, customers and other market participants. Some may have limited opportunities to join vendor associations or to participate in decisions about market arrangements. Others may find it difficult in practice to obtain information or to contact public authorities.[23]

These issues link economic disadvantage to broader patterns of gender inequality. If women do not also have a significant role in the choices that affect their work, an approach based only on financial assistance may therefore not be sufficient.[24] This implies that equitable treatment by institutions and access to resources must be taken into account.

C. Harassment and safety in public spaces

Women who work in public spaces may have concerns about harassment, intimidation or personal safety, particularly when working early in the morning, late in the evening or in poorly lit areas. Such concerns can affect where they choose to sell, how long they remain at work and whether they feel able to approach officials to report a problem.

The extent and nature of these experiences will vary and should be established through reliable evidence rather than assumption. Nevertheless, safe access to vending areas, adequate lighting,

[20] INT'L LABOUR ORG., WOMEN AND MEN IN THE INFORMAL ECONOMY, *supra* note 1.
[21] INT'L LABOUR ORG., WORLD EMPLOYMENT AND SOCIAL OUTLOOK: TRENDS 2023 (2023).
[22] U.N. SECRETARY-GENERAL, *Implementation of the Third United Nations Decade for the Eradication of Poverty (2018–2027)*, U.N. Doc. A/77/176 (2022).
[23] Naila Kabeer, *Resources, Agency, Achievements: Reflections on the Measurement of Women's Empowerment*, 30 DEV. & CHANGE 435, 438–40 (1999), https://doi.org/10.1111/1467-7660.00125.
[24] U.N. WOMEN, PROGRESS OF THE WORLD'S WOMEN 2015–2016: TRANSFORMING ECONOMIES, REALIZING RIGHTS (2015).

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clear complaint procedures and a serious response to complaints are relevant to creating working environments in which women can earn a livelihood with dignity.[25]

D. Unpaid care and work–family responsibilities

Food vending can involve long hours of preparation, purchasing ingredients, selling and cleaning. Women who also carry primary responsibility for childcare, household tasks or caring for older relatives may have less time available for these activities. They may also find it harder to attend meetings, participate in training or visit government offices during working hours.

Many formal jobs offer paid leave and someone to cover the work during an absence, but small-scale vending may offer little scope for this. This makes dealing with illness or family emergencies especially difficult. Multiple trips or long waits for administrative procedures can be an additional burden. Making information more accessible and scheduling consultations around vendors' working conditions could help to overcome these practical barriers.[26]

E. Legal requirements and legal awareness

Street vendors may need to know about rules on vending locations, certificates, municipal permits and food safety. Where information is difficult to find, or procedures are not transparent, vendors may have trouble understanding which requirements apply to them. Complicated documentation, inconsistent guidance or limited access to officials can make the process harder.

Ignoring lawful regulations is not the solution. Food safety and orderly use of public space are important. Instead, authorities should make the applicable requirements clear and provide practical guidance on how to comply. Legal awareness programmes, local-language information and accessible assistance can help vendors understand both their rights and their obligations.[27]

F. The intersection of different disadvantages

Women food vendors are not a single, uniform group. Their experiences may differ according to caste, income, age, disability, migration status, family responsibilities and the support available to them. A vendor who has stable local connections may be better placed to obtain information than someone who is new to the area or lacks documentation. A woman with limited mobility, for example, may encounter different barriers in accessing an office or public facilities.[28]

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[25] Convention on the Elimination of All Forms of Discrimination Against Women arts. 2(c), 11(1)(f), Dec. 18, 1979, 1249 U.N.T.S. 13.

[26] INT'L LABOUR ORG., CARE WORK AND CARE JOBS, *supra* note 13, at 37–40.

[27] Street Vendors Act §§ 26, 32.

[28] Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, 1989 U. CHI. LEGAL F. 139, 149–50.

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Knowing how they differ avoids a one-size-fits-all approach. The aim should be to identify the barriers that prevent particular vendors from accessing legal protection and to make procedures fair and workable for people in different circumstances.

Overall, the difficulties associated with urban food vending may involve financial insecurity, social inequality, safety, unpaid care and regulatory complexity. In evaluating the position of women vendors, it is important to distinguish between difficulties identified by legal analysis and those that need empirical support.[29]

V. Implementation of the Street Vendors Act, 2014: institutional and administrative challenges

The Street Vendors Act, 2014, can protect livelihoods only if the institutions responsible for implementing it carry out their duties effectively. Surveys, certificates, vending-zone decisions and grievance procedures are not merely administrative formalities: they can influence whether a vendor is able to continue earning an income. This makes the quality and accessibility of implementation central to the study.

A. The role of Town Vending Committees

Town Vending Committees have an important role in the statutory system, including matters relating to vendor surveys, vending zones and the regulation of vending activities. Their decisions can affect where vendors work and how their interests are represented in local planning.

The value of the opportunity to participate depends on the ability of vendors to understand the process and voice their concerns. Work schedules, care responsibilities or lack of information about meetings may make it hard for women to attend, or representation may be only formal if representatives do not receive information in time or have little opportunity to influence decisions. Consultation should therefore allow women vendors to raise practical concerns, including access to customers, sanitation, drinking water and safety.[30]

B. Surveys, registration and certificates of vending

Surveys and certificates of vending are important parts of the Act's framework. They help identify vendors and establish the basis on which vending activities are regulated. But the utility of such processes depends on clear eligibility criteria, understandable application requirements and transparent decisions.

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[29] U.N. Dev. Programme, Human Development Report 2021/2022: Uncertain Times, Unsettled Lives: Shaping Our Future in a Transforming World (2022).
[30] Street Vendors Act §§ 22–24.

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Vendors who do not know which documents to provide, where to apply or how to get help may face difficulty. Informal work arrangements and changes in location can also make the process difficult. For women who depend on daily earnings, uncertainty about their status can affect business continuity and make it more difficult to respond to adverse administrative action.

Authorities should therefore provide accessible information, explain decisions clearly and ensure that application procedures are not unnecessarily burdensome. These measures would improve access to the framework without removing the need for lawful regulation.[31]

C. Eviction, relocation and livelihood insecurity

Eviction and relocation can have substantial consequences for vendors. Regulation of public space may sometimes be necessary, but the manner in which a decision is made matters. Taking a vendor away from established customers can reduce sales, increase transportation costs and disrupt a business built up over time.

Women vendors may also find that relocation affects their travel time, childcare arrangements and their familiarity with the surrounding area. A new location may be less accessible or may lack basic facilities. Decisions should therefore follow the applicable statutory procedures and take account of their likely livelihood effects. Clear notice, meaningful consultation and suitable alternatives, where relocation is required, can help limit avoidable hardship.[32]

D. Grievance redressal and practical access to remedies

The Act provides a framework for addressing grievances connected with street-vending regulation. But a remedy is useful only if vendors know that it exists, understand how to use it and can obtain a response within a reasonable period.

The cost of pursuing a complaint, the time required and uncertainty about the relevant authority may discourage vendors from challenging a decision. Women with heavy work and care responsibilities may find repeated visits particularly difficult. Clear instructions, accessible complaint channels and information about available legal aid could make the process more usable. Vendor associations and legal services institutions may also help vendors understand the steps available to them.[33]

[31] *Id.* §§ 3–6, 9–10.
[32] *Id.* §§ 18–19.
[33] *Id.* §§ 11, 20.

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E. Coordination and accountability of the authorities

Municipal bodies and officials responsible for traffic, public health, sanitation and food safety may be involved with street vending. These organisations may make inconsistent choices or provide conflicting information, leaving vendors unsure of the regulations they must follow.

Better coordination requires continuous communication, clear allocation of responsibility and trustworthy documentation of administrative actions. Accountability also means investigating whether procedures are applied fairly and whether vendors can obtain information about the status of their applications or complaints. Where relevant records are available, they can help assess whether women vendors have equal access to certificates, facilities and grievance mechanisms.[34]

The central implementation question is therefore practical: can women vendors use the protections established by law without facing unnecessary procedural or institutional barriers? Answering it requires attention to both the design of procedures and the way public authorities apply them.

VI. Judicial perspectives on livelihood rights, gender justice and street vending

Court decisions help to explain how constitutional rights apply to the government's regulation of street vending. The relevant case law recognises the importance of livelihood and the right to carry on a trade, but also acknowledges that public spaces can be regulated. These principles provide a legal framework for assessing the legality of administrative decisions, but they should not be treated as direct findings about women vendors unless the judgments themselves address gender issues.

A. Right to livelihood under Article 21

In *Olga Tellis v. Bombay Municipal Corporation*,[35] the Supreme Court of India examined the nexus between the right to life under Article 21 and people's means of livelihood. The judgment observed that taking away a person's means of livelihood can have serious repercussions on the ability to live. It neither forbade legitimate regulation nor granted an unrestricted right to occupy public land.

Decisions that affect a person's livelihood may have consequences beyond the immediate loss of a job, which is why the case is still relevant. Loss of a vending location can affect a woman's

[34] Street Vendors Act §§ 26–27.
[35] *Olga Tellis*, (1985) 3 SCC at 572–73.

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income and ability to meet family expenses, especially where her food stall sustains her household. Such consequences do not in themselves render every eviction unlawful, but they show the importance of applying the relevant legal procedures fairly and carefully.

B. The right to trade and reasonable limitations

The Supreme Court examined the right to carry on business on public streets under Article 19(1)(g) in *Sodan Singh v. New Delhi Municipal Committee*.[36] The ruling recognised that public streets cannot be used for trade without regulation and that street trading is subject to reasonable restrictions. The legal position is thus a balance between the ability to earn a living and the legitimate need to manage public space.

For women food vendors, the importance of this principle lies in the need for fair and non-arbitrary administration. Regulation has to work within the appropriate legal framework. Transparent procedures and proper consideration of relevant circumstances can help ensure that, when authorities decide on vending arrangements or relocation, regulation does not place an undue or inequitable burden on women vendors.

C. Statutory protection and judicial developments

In *Maharashtra Ekta Hawkers Union v. Municipal Corporation, Greater Mumbai*,[37] the Supreme Court considered the issues relating to regulation of street vending and the legal regime applicable thereto. The broader body of litigation concerning hawkers and street vendors reflects the continuing effort to reconcile vending livelihoods with the management of public spaces.

The Street Vendors Act, 2014, created a statutory framework in the form of surveys, certificates of vending, vending zones and Town Vending Committees. Section 22 is relevant to women's participation as it requires that one-third of the members representing street vendors on a Town Vending Committee be women. It is a formal way to have women represented in decision-making on vending activities.[38]

But representation alone does not ensure that women's concerns will make a difference in decisions. Its practical value depends on how well representatives can participate, receive relevant information and convey the experiences of vendors from different backgrounds.

[36] *Sodan Singh*, (1989) 4 SCC at 164–65.
[37] *Maharashtra Ekta Hawkers Union v. Municipal Corp., Greater Mumbai*, (2014) 1 SCC 490 (India).
[38] Street Vendors Act § 22(2)(d).

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D. Equality in the Constitution and gender justice

Articles 14 and 15 provide the basis for inquiry into unequal treatment and discrimination. Article 19(1)(g) secures the right to carry on an occupation, subject to the restrictions permitted by the Constitution. Article 21 is also attracted where livelihood and dignity are affected by administrative action. Collectively, these provisions offer a framework within which to analyse the legality of decisions affecting street vendors and their conformity with constitutional safeguards.[39]

Equal treatment does not always produce equal practical access. For example, a process requiring repeated visits to a government office may be more difficult for someone who has limited mobility, little time away from work or substantial care responsibilities. This does not mean that all procedures are discriminatory, but it does mean that their actual operation deserves attention. Gender-responsive administration should seek to make existing protections accessible while respecting legitimate regulatory requirements.

E. What judicial principles can and cannot achieve

Judicial decisions establish important principles concerning livelihood, reasonable restrictions and administrative fairness. Yet litigation may not be a practical answer to every problem faced by a small vendor. Court proceedings can involve cost, delay and procedural complexity. For that reason, accessible administrative processes, legal awareness and effective grievance mechanisms remain important alongside judicial protection.

The cases discussed here should be used carefully. They establish general legal principles; they should not be described as proving particular patterns of discrimination or hardship among women food vendors unless the judgments themselves support that claim.

VII. Critical Review: Gender Sensitivity and Access to Justice

The Street Vendors Act, 2014 provides the legal framework for recognition of vendors and regulation of street vending. But whether it meaningfully protects women will depend on how the framework works in practice. This requires examining the quality of women's participation, access to administrative procedures, security of livelihood and ability to obtain remedies.

A. Is the framework gender sensitive?

Under Section 22 of the Act, one-third of the members of the Town Vending Committees representing street vendors shall be women. This is an important recognition that women should

[39] India Const. arts. 14, 15, 19(1)(g), 19(6), 21.

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have a place in decisions about street vending. Their participation can help bring attention to issues such as access to facilities, safety, working hours and the effects of relocation.

The existence of a representation requirement is only the first step. Women representatives must be given timely information and real opportunities to contribute to shaping decisions. A committee might satisfy a formal requirement but not adequately address vendors' concerns. The relevant question is therefore whether representation leads to meaningful participation and whether the concerns raised are considered in the committee's decisions.[40]

B. The gap between legal protection and implementation

A law may establish rights and procedures without ensuring that every intended beneficiary can use them. Unclear registration requirements, limited awareness, administrative delays and inconsistent decisions can create a gap between legal protection and daily experience. These are issues to investigate rather than assume to be present in every locality.

For a vendor who depends on daily sales, even a short interruption in trading can affect household spending and business continuity. Implementation should therefore be assessed not only by the number of certificates issued or meetings held, but also by whether procedures are understandable, decisions are transparent, and vendors have a practical way to resolve problems.[41]

C. Access to justice and grievance redressal

Access to justice involves more than the formal existence of a complaint mechanism. People should know where to go and how the process works, and be able to follow up a complaint without unreasonable cost or delay. For vendors who wish to contest decisions that affect their work, the Act's grievance system is crucial.

If women vendors lack time, money or legal knowledge, they may encounter practical challenges. Some may also be uncertain about the consequences of complaining to the authorities on whom their business depends. These possibilities call for clear information, accessible procedures and appropriate legal assistance. Whether such barriers are widespread, and how they vary by location, should be established through reliable research.[42]

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[40] COMM. ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN, *General Recommendation No. 23: Political and Public Life*, ¶¶ 5–6, U.N. Doc. A/52/38 (1997).

[41] U.N. DEV. PROGRAMME, PROGRAMMING FOR JUSTICE: ACCESS FOR ALL: A PRACTITIONER'S GUIDE TO A HUMAN RIGHTS-BASED APPROACH TO ACCESS TO JUSTICE (2005).

[42] COMM. ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN, *General Recommendation No. 33 on Women's Access to Justice*, ¶¶ 14–17, U.N. Doc. CEDAW/C/GC/33 (Aug. 3, 2015).

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D. Intersectionality and substantive equality

Women vendors have different resources, responsibilities and social positions. Caste, income, age, disability, migration status and family circumstances may affect their ability to obtain official recognition or participate in local decision-making. A process that is manageable for one vendor may be difficult for another.[43]

Substantive equality requires attention to these practical differences. It does not mean that vendors should be exempt from all regulation. Rather, it indicates that legal obligations should be applied fairly and should not burden those who are already at a disadvantage. Ways of improving access include local-language guidance, accessible application procedures and meaningful consultation.[44]

E. Areas for development and further evidence

The Act offers a framework for the protection and regulation of street vending, but the success of the gender-related safeguards rests on implementation and accountability. Priority should be given to easy certification procedures, real participation in Town Vending Committees, safe working environments and grievance mechanisms that vendors can realistically access. Coordination among local authorities is also important where municipal, sanitation and food-safety requirements overlap.

The limits of the available evidence must be acknowledged. Without systematic fieldwork or verified administrative data, it is not possible to state conclusively how frequently particular problems occur or whether they affect all women vendors in a given way. Interviews with women vendors, vendor associations and relevant officials, together with examination of local administrative records, could help establish how the Act operates on the ground. Such research would make it possible to compare the law's stated protections with vendors' actual experiences.

VIII. Recommendations for a Gender-Responsive Street Vending Framework

Improving the position of women food vendors requires attention to the legal framework as well as the practical conditions in which it is implemented. The following measures could help make statutory protection more accessible while preserving the legitimate regulation of public spaces.

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[43] Comm. on the Elimination of Discrimination Against Women, *General Recommendation No. 28*, *supra* note 12, ¶ 18.

[44] The Legal Services Authorities Act, No. 39 of 1987, India Code (1987), § 12(c).

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A. Encourage women's participation

Town Vending Committees should enforce the statutory provision on women's representation and give women vendors real opportunities to have a say in decision-making. Representatives should be given access to relevant documents, timely notice of meetings and opportunities to raise issues of concern to different groups of vendors.

Frequent consultations with women food vendors and their associations would help authorities better understand local concerns about vending locations, sanitation, drinking water, safety and access to customers. Consultation should be a factor in decision-making rather than a procedural hurdle.

B. Clarify and make the registration procedures accessible

Information on surveys, eligibility, certificates of vending and application procedures should be readily available in the commonly understood languages of the area. Authorities could establish assistance desks or community-level information sessions for vendors who need help understanding the process.

Digital services can help to increase transparency and reduce unnecessary delays, but they should not be the only way to get information or to register. People who have limited internet access, devices or digital skills still need help offline. Applicants should also be given clear information on the status of their applications and the reasons for decisions.

C. Fair procedures for eviction and relocation

Eviction and relocation decisions must comply with the Act and any other applicable legal requirements. Authorities have to communicate decisions clearly, follow prescribed procedures and consider the likely impact on livelihoods. Where relocation is necessary, the suitability of the proposed alternative should be assessed with reference to customer access, transport, sanitation and safety.

Women vendors should have an opportunity to explain how a proposed move may affect their income, travel and care responsibilities. Transparent decision-making and accessible grievance procedures can help reduce unnecessary disruption.

D. Improve safety and basic facilities

Planning for vending areas should take account of lighting, sanitation, drinking water, waste disposal and, where feasible, secure storage. These facilities are important for vendors' working conditions and for the hygiene of food sold to the public.

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Authorities should consult vendors about the timing and location of infrastructure improvements. The safety of people working early in the morning or late in the evening also deserves attention. Better facilities can support both vendors' dignity and the public-health objectives associated with food vending.

E. Strengthen legal awareness and access to remedies

Legal-awareness programmes should explain vendors' rights and responsibilities under the Street Vendors Act, 2014, as well as relevant municipal and food-safety requirements. Local legal services institutions, civil-society organisations and vendor associations can help distribute accurate information and direct vendors to appropriate sources of assistance.

Grievance procedures should clearly explain where a complaint can be filed, what information may be needed and how a decision can be challenged. Where possible, procedures should reduce unnecessary travel and repeated visits. Legal assistance can be particularly valuable for vendors who cannot afford private representation.

F. Improve access to economic and social support

Women food vendors may benefit from information about financial services, financial-literacy programmes, skill development and social-protection schemes for which they are eligible. Any support should be communicated clearly and should avoid unnecessary documentation burdens.

Authorities and relevant organisations could also consider practical measures to help vendors manage disruptions caused by illness, severe weather or other emergencies. Such support should be in addition to the protections available under the Act, not in lieu of them.

G. Oversee implementation and improve accountability

Implementation should be reviewed through transparent records and regular consultation with vendors. Relevant indicators may include women's participation on Town Vending Committees, access to vending permits, time taken to resolve grievances and availability of basic facilities. Merely counting registrations or meetings may not show whether the framework is improving vendors' circumstances.

Regular audits should examine results and identify where processes are not working as expected. Further socio-legal research, including carefully designed interviews and field studies, could help distinguish recurring problems from isolated experiences. Any such research should protect participants' privacy and report findings accurately.

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IX. Conclusion

Women engaged in urban food vending make an important contribution to city life. They provide affordable food and support their households, often while working with limited capital and balancing paid work with domestic responsibilities. They can face difficulties in making a living due to insecure vending locations, financial constraints, inadequate facilities, safety concerns and administrative procedures. These issues are therefore a vital area of research within the fields of access to justice, gender equality and the right to a livelihood.

The Indian Constitution provides a solid basis for examining this issue through its commitment to equality, non-discrimination, the right to pursue a profession, and the right to life and personal liberty. The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 provides a legal structure for surveys, certificates of vending, vending zones and Town Vending Committees. These can help clarify the relationship between vendors and public authorities. However, their effectiveness will depend on how well they are enforced and how accessible they are to vendors.

The Act includes important provisions for women's representation on the committees; however, without meaningful participation this will have little impact. Women vendors need opportunities to raise concerns about vending locations, relocation, sanitation, safety and access to customers. Clear registration procedures, fair administrative decisions and accessible grievance mechanisms are equally important to ensuring that statutory protection is more than a formal promise.

The analysis also shows why women vendors should not be treated as a single, uniform group. Caste, class, migration status, disability, age and family responsibilities may shape the barriers each person faces. A responsive framework should recognise these differences and make lawful procedures accessible without abandoning the legitimate regulation of public spaces or food safety.

Ultimately, protecting women food vendors requires cooperation between public authorities, vendor associations, legal-services institutions and the vendors themselves. The objective is not to remove all regulation, but to ensure that regulation is lawful, transparent and attentive to livelihood consequences. The Act provides an important legal starting point. Its promise of livelihood protection and inclusive urban governance can be realised only through effective implementation, meaningful participation and practical access to justice.

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