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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% **Date of Decision: 21st August, 2026**

CNR No. DLHC010482292022

+ CONT.CAS(C) 1404/2022, CM APPL. 55581/2022, CM APPL.
34815/2023 & CM APPL. 1267/2025

MAHAVIR JAINPetitioner

Through: Mr. N.K.Sahoo, Adv.
M: 9212544565

versus

AMIT YADAV AND ORSRespondents

Through: Mr. Vivek Narayan Sharma, Adl. SC
with Ms. Ankita Sarangi, ASC, Mrs.
Mahima Bhardwaj Kalucha, Mr.
Akash Singh, Mr. Ajay Kumar Narula
and Ms. Palak Kaushik, Adv.
M: 9811398072

CNR No. DLHC010482832022

+ CONT.CAS(C) 1410/2022, CM APPL. 55711/2022, CM APPL.
34866/2023 & CM APPL. 76310/2024

RAVINDER KUMAR JAINPetitioner

Through: Mr. N.K. Sahoo, Adv.
M: 9212544565

versus

AMIT YADAV AND ORSRespondents

Through: Mr. Ashish Tiwari, Additional
Standing Counsel with Ms. Ankita
Sarangi, ASC, Mr. Anurag Tiwari and
Mr. Sahib Patel, Adv.
M: 9971382986

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA



MINI PUSHKARNA, J. (Oral):

1. The present petitions have been filed alleging wilful disobedience of the common orders dated 30th May, 2016, and 01st August, 2016, passed by this Court in *CONT.CAS(C) 453/2016* and *CONT.CAS(C) 462/2016*, respectively.

2. By way of the order dated 30th May, 2016, it had been directed as follows:

“

List for hearing on 01st August, 2016.

The pleadings be completed before the next date of hearing.

Learned counsels for the parties have handed over the judgment dated 18th May, 2016 passed by the Division Bench in L.P.A. No.136/2016 and the connected matters.

The interim orders dated 03rd May, 2016 are modified in terms of the judgment dated 18th May, 2016 passed by the Division Bench. Both the parties shall comply with the directions of the Division Bench.

These cases shall not be treated as part-heard.

Dasti.

”

3. *Vide* the order dated 01st August, 2016, directions have been passed as follows:

“

After passing of the orders out of which the present contempt proceedings arise, a Division Bench of this Court while disposing of LPA No.136/2016 vide judgment and order dated 18th May, 2016 has interpreted the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 as well as rules framed thereunder and has given binding directions.

Consequently, present contempt petitions and applications have become infructuous and they stand disposed of.

In the event, the petitioners are of the view that the Division Bench order is not being complied with, petitioners are given liberty to file appropriate proceedings in accordance with law.

”



4. Perusal of the aforesaid shows that reference has been made to the judgment dated 18th May, 2016, passed by the Division Bench of this Court in *LPA 136/2016*, wherein, Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (“Street Vendors Act”), as well as the Rules framed thereunder have been interpreted.

5. The aforesaid contempt petitions were disposed of with directions that the said judgment passed by the Division Bench be complied with.

6. The judgment dated 18th May, 2016, passed by the Division Bench in *LPA 136/2016*, held as follows:

“xxx xxx xxx

26. In view of the above discussion, the following directions are issued: -

- (1) The concerned TVC exercising jurisdiction over NDMC areas shall proceed to conduct the survey in accordance with the Scheme, i.e., with respect to identification of specific sites/spaces and complete it within two months from today.
- (2) All pre-existing “right holders” - now defined as street vendors (whether called as tehbazari licensees etc.) shall not be disturbed except to the extent that the TVC determines that space or place occupied by them is *prima facie* not in accordance with paragraph 2.1.17 - 2.1.22.
- (3) In case the TVC is of the opinion that any street vendor in terms of the above directions has to be displaced, the principle of “last come first go”, i.e., chronological seniority shall be followed.
- (4) The task of compiling the eligible applicants shall be first preceded by an appropriate advertisement and thereafter proceed to allot the specific or particular space to the street vendors, in terms of the Act, Rules or Scheme.
- (5) The authorities are at liberty to ensure that the walk way in all the NDMC areas shall be in conformity with the paragraph 2.1.22, i.e., two meter width on the footpath would be left. At the same time, while removing or evicting any existing street vendor, the NDMC shall also ensure that the principle of seniority - referred to earlier



in terms of rights of existing holders is maintained. If no document or evidence of long use exists, it is open to the NDMC to remove those obstructing such footpath or way.

xxx xxx xxx”

7. Learned counsel appearing for the petitioners has relied upon the aforesaid paragraph 26 of the said judgment to submit that all the pre-existing right holders who are defined as Street Vendors/*tehbazari* licensees, shall not be disturbed except to the extent of the determination by the Town Vending Committee (“TVC”) that space/place occupied by them is *prima facie* not in accordance with paragraphs 2.1.17 – 2.1.22 of the Government of National Capital Territory of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2016 (“Delhi Street Vendors Scheme - 2016”).

8. On a pointed query by this Court, learned counsel appearing for the petitioners concedes that they do not have *tehbazari* licences. However, he submits that the petitioners have pre-existing rights, as their names are included in the list of 628 unauthorized squatters prepared by the New Delhi Municipal Council (“NDMC”) as per the directions of the Supreme Court *vide* order dated 01st May, 2012, in *W.P.(C)1699/1987*, for allotment of spaces on lottery basis.

9. Learned counsel appearing for the petitioners draws the attention of this Court to *Annexure P-7*, i.e., the said list of 628 unauthorised squatters to submit that in the said list the names of the respective petitioner in *CONT.CAS(C) 1404/2022* and *CONT.CAS(C) 1410/2022*, are reflected at serial nos. 296 and 293, respectively. The relevant portions of the said list are reproduced as under:



**LIST OF UNAUTHORISED SQUATTERS FOR
ALLOTMENT OF SPACES ON LOTTERY
BASIS AS PER DIRECTION OF THE HON'BLE
SUPREME COURT OF INDIA DATED 01-05-
2012**

1	3216/201 1	DEVI CHARAN, NEAR WALL OF THE SCHOOL AT BABU MARAKET, SAROJINI NAGAR NEW DELHI - 23
2	3217/201 1	CHANDER PAL SINGH S/O KEWAL SINGH S-107, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 92
3	3294/201 1	GOVIND SINGH @ TINKU S/O SARDAR SINGH P- 102 VILLAGE PILLANJI, SAROJINI NAGAR NEW DELHI -23
4	3301/201 1	BARKAT ALI S/O AAFATIYA R/O A-462 T- HUTS SAHEET ARJUN DASS CAM ON NALLA SAROJINI NAGAR NEW DELHI
5	3311/201 1	MADAN LAL S/O SUNHARI LAL NO.-6315/9 GALI RAVI DASS, RAM NAGAR, DELHI-55
6	3325/201 1	WAZIR KHAN S/O SULTAN KHAN P-130 PILANJI GAON, SAROJINI NAGAR NEW DELHI 41
7	3341/201 1	MANOHAR LAL S/O SHANKAR LAL 25 BLOCK-D 3 SULTANPURI NEW DELHI
8	3341/201 1	BAHADUR SINGH S/O MAHAVIR SINGH P-167, PILANJI GAON SAROJINI NAGAR MARKET NEW DELHI
9	3341/201 1	HARI DUTT JOSHI S/O BHOLA DUTT JOSHI A3/17/1 ROHINI SECTOR-7 DELHI
10	3341/201 1	SANJAY SINGH S/O B.B. SINGH F-58 HIMAYUN PUR, SAFDAR JUNG ENCLAVE, NEW DELHI
11	3341/201 1	RAM MURAT S/O RAM DASS F-23/310, CHAND BAGH DELHI-94

xxx xxx xxx



279	4462/201 1	MITHUN AGGARWAL S/O SUBHASH CHANDER R/O H.NO. 411, KARARDOOMA, MAIN ROAD, DELHI
280	4481/201 1	B N BENGALI @ BRIJ NATH SHAH S/O SHRI MALIK CHAND R/O H.NO. 33/36, BANGLA SAHIB MARG, NEW DLEHI-110001
281	4510/201 1	SH PRADEEP S/O HORI LAL R/O D-49-A, SHAKKARPUR DELHI-92
282	4511/201 1	SH VINOD KUMAR S/O HORI LAL R/O R/O D-49-A, SHAKKARPUR DELHI-92
283	4515/201 1	VIKAS GUPTA S/O LATE SHRI PANNA LAL GUPTA R/O 3/66, CHAND CINEMA, CABLE WALI GALI, TRILOK PURI, NEW DLEHI-110091
284	4524/201 1	RAM KUMAR S/O RAM SWAROOP R/O 19/231, KALYAN PURI DELHI
285	4546/201 1	KAMAL RAJ BANSI S/O HANS RAJ WALI 15, PARK STREET ROAD, NEW DELHI
286	3069/201 1	LEELA W/O JAI DEV H. NO.-429, POCKET-3, JANTA FLATAS, PASCHIM PURI, NEW DELHI-63
287	3070/201 1	KOKILA W/O ASHOK KUMAR A-3/78, SUNSHINE APARTMENTS, PASCHIM HIVAR, NEW DELHI-63
288	3071/201 1	REKHA W/O KISHORE A-1 BLOCK, PASCHIM VIHAR NEW DELHI-63
289	3072/201 1	KIRAN W/O CHANDU H. NO.-181, POCKET NO.-3 PASCHIM PURI, NEW DELHI-63
290	3073/201 1	DEVENDER JAIN S/O JAI CHAND JAIN B-46 TF. B- BLOCK, SHAKARPUR, DELHI92
291	3074/201 1	GAURI W/O KRISHAN LAL H. NO.-722/B, DOUBLE STOREY JANTA FLATS, PASCHIM PURI, POCKET NO.-2 NEW DELHI-63
292	3075/201 1	KRISHNA W/O YASHWANT KUMAR A-4/130, PASCHIM VIHAR, NEW DELHI-63
✓ 293	3076/201 1	RAVINDER KUMAR JAIN S/O NET RAM JAIN MB-45, STREET NO-02, SHANKARPUR, DELHI-92
294	3088/201 1	HARI SINGH S/O DHAN BAHADUR SINGH 8/124- 125, BLOCK-8 KHICHRI PUR, DELHI-91

xxx xxx xxx



295	3574/201 1	VAISO JAIN @ BAISHO S/O SUMIT JAIN BAISHO R/O 585, SUNDER BLOCK, SHANKARPUR, NEW DELHI
296	3577/201 1	MAHAVIR JAIN S/O NAIN CHANDRA JAIN R/O M.B.-76B, GALI NO-13 SHAKARPUR NEW DELHI
297	3731/201 1	RAJU KUMAR SAHU S/O ALIAS RAJU SAHU R/O WZ-159, BLOCK, NEAR PANDIT MKOHALLA, DASGHARA, VILLAGE TODAPUR, NEW DLEHI
298	3996/201 1	PAWAN KUMAR S/O LATE RADHEY SHYAM 55, BLOCK-C EXTN.2 NANGLOI NEW DELHI
299	3997/201 1	RAKESH S/O MAHAVIR SINGH G-226, JANAKPURI DELHI-33
300	3998/201 1	SHOBHA RAM S/O LATE BUDHI RAM E-38/A, E-BLOCK GALI NO. 3 GANESH NAGAR PANDAV NAGAR DELHI-92
301	3999/201 1	OM PRAKASH S/O RADHEY LAL 148, KABIR BAST OLD SABZI MANDI DELHI-7
302	4000/201 1	PREM SINGH S/O SHRI MAHENDER SINGH 138-A, GALI NO. 3, G-BLOCK, HARIJAN BASTI, SHIV VIHAR AMBIKA VIHAR PHADE-III, KARAWAL NAGAR, DELHI-94
303	4001/201 1	PURAN CHAND S/O LATE SHRI RADHEY SHYAM 56, BLOCK-C, EXTN.2, NANGOI, NEW DELHI
304	4002/201 1	NARENDER KR JAIN S/O BHAGWAN DASS JAIN D-722, D-BLOCK, GANESH NAGAR-II SHAKARPUR DELHI-92
305	4003/201 1	SHEELA DEVI W/O LATE DURGA PRASAD 150/2, GALI NO, 2, PHASE-I, G-BLOCK, SHIV VIHAR, DELHI
306	4004/201 1	BEJ NATH S/O GUR VAR RAM AB-77, AMAR PURI, NABI KARIM PAHAR GANJ, DELHI-110055
307	4127/201 1	DAYA RAM SINGH S/O SHUIV PRASAD SINGH H. NO.3410, GALI NO. 89, KHASARA NO. 124/16 SANT NAGAR BURARI NEW DELHI-84
308	4127/201 1	RAJ W/O BHUPENDER 549,PKT-2 PASHIMPURI, NEW DELHI

”



10. At this stage, this Court records the submission made by learned counsel appearing for the respondent-NDMC that the aforesaid list itself clearly states that it is only a list of unauthorized squatters.

11. He confirms the fact that the petitioners do not have any licence or Certificate of Vending in their favour. He further submits that the Supreme Court had passed the order dated 01st May, 2012, so that a list of unauthorized persons, who were squatting in different areas is drawn up, and a lottery is conducted by the respondent-NDMC for the purposes of allotment of *tehbazari* rights.

12. Learned counsel appearing for the respondent-NDMC submits that though a lottery was carried out for the purpose of allotment of various *tehbazari* licences to various persons mentioned in the list, however, the said process never fructified due to various litigations in different Courts.

13. Considering the submissions of the respondent-NDMC, it is apparent that the petitioners have no pre-existing rights in terms of the judgment dated 18th May, 2016, passed by the Division Bench of this Court in *LPA 136/2016*.

14. This Court is informed that the goods of the petitioners were removed on 05th November, 2022, on account of them vending in a 'No Vending Zone', and notice in regard thereto was given to the petitioners on 06th November, 2022.

15. Even otherwise, perusal of the aforesaid list clearly shows that the said list was of unauthorized persons, and no right was conferred on such 628 persons for grant of any *tehbazari* licences.

16. Attention of this Court has also been drawn to the order dated 11th October, 2021, passed by the Division Bench of this Court in *W.P.(C)*



11669/2021, titled as *New Delhi Traders Association Versus New Delhi Municipal Corporation & Ors.*, wherein, it has been noted as follows:

“xxx xxx xxx

4. The petitioner – which is the association of traders of shop owners/ operators in the Connaught Place (CP) area, i.e., Rajiv Chowk and Indira Chowk, have preferred the present writ petition to seek directions to the respondents to ensure that illegal hawking and squatting/ vending activities in No Hawking and No Vending areas of Connaught Place and Connaught Circus (known as Rajiv Chowk and Indira Chowk) area stop permanently and the said areas are kept free from encroachments by illegal hawkers and vendors/ squatters. The petitioners also seek a direction that once removed, the hawkers do not resurface.

5. Mr. Ralli, learned senior counsel for the petitioner has, firstly, drawn our attention to the scheme framed by the NDMC as per which Connaught Place area, i.e. Rajiv Chowk and Indira Chowk have been declared as no hawking and no vending zone. He has also drawn our attention to the order passed by the Supreme Court which approved the said scheme. Mr. Ralli has shown us the relevant documents which establish that Connaught Place area has been re-designated as Rajiv Chowk and Indira Chowk. He has also drawn our attention to the orders passed in earlier proceedings where again the stand of the respondent/ NDMC has been recorded that Rajiv Chowk and Indira Chowk are no hawking and no vending zones. The petitioner has placed on record several photographs which show the present state of affairs on the ground in the Rajiv Chowk and Indira Chowk areas. There are scores and scores of hawkers and vendors who are occupying public spaces on the pavements meant for pedestrian use. Large areas have been occupied by them to display their goods and wares which they are vending. Large congregations of crowds can be seen around these vends. The photographs

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placed on record show complete lack of concern by the respondent authorities to the unauthorised encroachments, and expose their utter lack of competence in ensuring compliance of their own scheme, as well as the orders passed by this Court as well as the Supreme Court from time to time. It is as if the respondents have completely surrendered and accepted the invasion by hawkers and vendors and they have put their hands up, accepting helplessness.

6. Mr. Peechara – who appears on behalf of respondent No.1, states that there are about 80 hawkers, who were issued *Tehbazari*, within the entire Connaught Place area. He submits that the scheme placed on record is not complete, and even in terms of the scheme approved by the Supreme Court vide order dated 17.05.2007 in W.P. (C.) No. 1699/1987 titled *Sudhir Madan & Others Vs. Municipal Corporation of Delhi & Others*, these vendors were not sought to be disturbed.

xxx xxx xxx

14. We, therefore, issue a stern warning to both – the officers of the NDMC as well as to the Delhi Police who have jurisdiction over the Connaught Place area, i.e. Rajiv Chowk and Indira Chowk, to ensure strict compliance of not only their scheme approved by the Supreme Court, but also the orders passed by the Supreme Court and by this Court. There should be zero tolerance shown by them, and all hawkers, vendors – except the original 80 odd vendors – as stated by Mr. Peechara, should be removed bag and baggage. The rule of law has to prevail, and we cannot allow the city to be taken over by illegal encroachers/ vendors. Such failure on the part of the respondent authorities in discharging their duties very severely and adversely impacts the rights of the citizens of the city, including their right to life, which includes the right to a healthy and clean environment.

xxx xxx xxx”

17. Perusal of the aforesaid order unquestionably shows that the Connaught Place area as well as Connaught Circus have been classified as ‘No Vending/No Hawking Zones’ by the NDMC, wherein, no vending or



hawking is allowed except to the 80 vendors as noted in paragraph 14 of the said order.

18. This Court notes that the petitioners do not fall in the list of the 80 persons, who have been recognized by the NDMC for the purpose of carrying out vending/hawking activities in the Connaught Place/Connaught Circus Area.

19. Attention of this Court has also been drawn to the judgment dated 03rd July, 2017, in *W.P.(C) 2556/2015*, titled as *Vyapari Kalyan Mandal Main Pushpa & Anr. Versus South Delhi Municipal Corporation & Ors.*, wherein, it has been held as follows:

“xxx xxx xxx

43. From the foregoing, it is clear that the Town Vending Committee was to take into consideration the old schemes of the municipal authorities in Delhi and Mumbai. This again goes to show that the old schemes were not dead as the same were once again relied to regulate the activities of vendors. The vendors were only granted interim protection until registration and demarcation of vending/hawking

zones, which was to be concluded in a time bound manner. These directions were issued by the Supreme Court in the anticipation that the problem relating to street vending and the conflicting interests of various stakeholders could now be regulated by the 2009 Policy and the consequent Town Vending Committee.

44. Therefore, we are unable to agree with the submission of Ms.Unninayar that the judgments in *Gainda Ram [(2010) 10 SCC 715]* and *Maharashtra Ekta Hawkers Union (Supra)* erased the previous classification of non-vending zones into a nullity and gave a clan chit to the street vendors to hawk/squat at any place found fit by them in disregard of the rights of the other stakeholders.



xxx xxx xxx

47. As per the Act, the declaration of no-vending zone is to be carried out by the Plan for Street Vending to be prepared by the local authority in consultation with the Town Vending Committee [Section 21 read with the First Schedule]. At the same time, Clause 3(e) of the First Schedule provides that till the completion of survey and formulation of the plan, no zone shall be declared as a no-vending zone. This clause merely prohibits any further declaration of no-vending zones and does not nullify the existing demarcation by the municipal authorities. On the contrary, it tacitly recognises that certain areas might have already been declared as no-vending zones.

xxx xxx xxx”

20. Perusal of the aforesaid judgment manifests that the declaration of ‘No Vending Zone’ as done prior to the Street Vendors Act, shall continue until the issue is decided by the TVC.

21. This Court also notes Section 12 of Street Vendors Act, wherein, it has been stipulated as follows:

“xxx xxx xxx

12. Rights of street vendor.—(1) Every street vendor shall have the right to carry on the business of street vending activities in accordance with the terms and conditions mentioned in the certificate of vending.

(2) Notwithstanding anything contained in sub-section (1), where any area or space, as the case may be, has been earmarked as no-vending zone, no street vendor shall carry out any vending activities in that zone.

xxx xxx xxx”

(Emphasis Supplied)

22. The aforesaid Section of the Street Vendors Act categorically stipulates that where any area or space has been earmarked as ‘No-Vending Zone’, no street vendors shall carry out any vending activities in that zone.



Thus, given that the Connaught Place area has been considered and declared to be a 'No Vending/No Squatting Zone' by the NDMC, which is undisputedly continuing even today, the petitioners herein do not have any right to continue with their vending activities in the said area.

23. This Court also takes note of the Government of National Capital Territory of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019 ("Delhi Street Vendors Scheme - 2019"), wherein, in Clause 1.1.20 it is stated as follows:

"xxx xxx xxx

(1.1.20) The issue of an Acknowledgement Receipt of surveying of a street vendor shall not confer upon them any right to vend or squat. The permission/certificate to squat/vend will be decided by the TVC in consultancy with the local body as described in Section 1.1.16.

xx xxx xxx"

24. Further, reference may also be made to Clause 2.1.6 (g) of the Delhi Street Vendors Scheme - 2019, which reads as under:

"xxx xxx xxx

(2.1.6) The registered street vendor shall furnish an undertaking to the effect that –

- a. The vendor shall carry on the business of street vending himself or through spouse or dependent children only;*
- b. The vendor has no other means of livelihood;*
- c. The vendor shall not transfer in any manner, whatsoever, including rent/ lease the COV or the place specified therein to any other person;*
- d. The vendor does not currently carry a communicable disease, or if a carrier of a communicable disease, provide a certification from a competent medical authority that treatment for the same is underway, and the expected completion date of treatment*
- e. The vendor shall maintain cleanliness and public hygiene at the vending site/ zones and adjoining area;*
- f. The vendor shall pay periodic charges for the civic amenities and facilities provided in the vending zone as determined by Local Body in consultation with TVC or the Government from time to time; and*
- g. The vendor shall not carry out any vending in non-vending zones or beyond permissible days and timings as announced by the Local***



Body in consultation with the TVC.

xxx xxx xxx”

(Emphasis Supplied)

25. Perusal of the aforesaid clauses from the Delhi Street Vendors Scheme - 2019 clearly demonstrates that no vendor shall carry out any vending in non-vending zones.

26. At this stage, learned counsel appearing for the petitioners draws the attention of this Court to a receipt dated 02nd March, 2009, issued by the NDMC in the name of the petitioner in *CONT.CAS(C) 1404/2022*, which reads as under:

“

Annexure-P- 4

CONT.CAS(C)-1404-2022

NEW DELHI MUNICIPAL COUNCIL

Receipt No.: CH080903NDMC027046 **RECEIPT** Date: 02-Mar-2009

Challan Number: 140881 Sub-Field: ENFORCEMENT BRANCH Function: Enforcement Branch

Functionary: DIRECTOR (INF) Received From: Sh. Mahavir Jain

On Account of: Registration Fee for Relief for Vending

Address: MB- 76, Shakkar Pur, Delhi

Payer's Copy 53
SR. NO. D
205324

Account Code	Description	Amount
1401104	TEHBAZARI LICENSE	1000
Payment Mode: Cheque/DD		Total Amount: 1000
Total Amount in Words: One Thousand Rupees Only		
Cheque/DD No.: 822968	Cheque/DD Date: 28-Feb-2009	Bank: STATE BANK OF INDIA
Name of the Operator: rachna.cash		Counter No: 4
 नई दिल्ली नगर पालिका परिषद		
Signature of Authorised Officer		
RECEIPT IS SUBJECT TO REALISATION OF CHEQUE/DRAFT/PAY ORDER.		

27. However, this Court notes the submission made by learned counsel appearing for the respondent-NDMC that the aforesaid receipt “ computer-generated receipt, which any person can avail by going to counter and depositing fees. It is submitted that at the time of deposit of money by any person, the clerical staff do not check any documents as they do not have any link or means to verify the same as regards the entitlement of such person.



28. This Court also notes that the judgment dated 18th May, 2016, passed by the Division Bench of this Court in *LPA 136/2016*, as relied upon by the petitioner, itself refers to the aforesaid clauses from the Delhi Street Vendors Scheme – 2016, which are *pari materia* to the clauses contained in the Delhi Street Vendors Scheme – 2019.

29. The relevant paragraphs of the aforesaid judgment are as follows:

“xxx xxx xxx

19. To cater to the existing regulatory gap which had hitherto existed between the need to regulate use of footpath, pavement sidewalks etc. on the one hand and the right of the street vendors to carry out the commercial activity on the other, the Delhi Scheme had sought to redress the issue to a certain extent. It is in this context paragraphs 2.1.17 to 2.1.22 are relevant. They read as follows: -

“2.1.17 The street vendor shall not encroach upon the public land and exceed beyond the permissible limits. The space for vending shall be 6 x 4 feet. No permanent or temporary structure will be allowed for street vending. The vendor shall keep all his wares confined to the allotted space. No projections, extensions shall be protruding from the space of vending.

2.1.18 The Vendor shall not hamper the free movement of pedestrian and traffic in any way. Vendor shall operate from the edge of the road/street (if vending from a street) and shall not cause any obstruction to smooth movement of traffic or pedestrians or non-motorized vehicles. He shall ensure that his/her customers shall not do unauthorized parking next to his vending site.

2.1.19 The vendor shall not sell obnoxious, hazardous and polluting items. It is to be ensured that the quality of product and services provided to the public is as per the standards of public health, hygiene and safety laid down.

2.1.20 The street vendor shall not carry out any unauthorized/ illegal activity.

2.1.21 The vendor shall not occupy or stop at any place that is prohibited for street vending. Mobile vendor shall not stop for a period of more than 30 minutes at any place within his hawking zone/vending zone. The vendor shall not stop or vend in the non-vending zone.

2.1.22 The vendors shall not block the footpath or carryout vending on roads. Walkway of two meters width on footpaths should be maintained in front of the vending counters/stalls.”

20. The above discussion would reveal that the appellants here assert that they have been continuously carrying on business and commercial activities at various different places. During the course of hearing, it was transpired



that almost all the petitioners claim to carry out vending in New Delhi areas, i.e., Janpath, Palika Bazar, Baba Kharag Singh Marg and Sarojini Nagar. According to the NDMC, the surveys were conducted in 2007 and 2011 to verify the identities of the street vendors and the spaces they were utilizing for the purposes of marketing their wares. Whilst there cannot be any doubt that under provision of Section 4 (1), the rights of those who function as street vendors - by whatever names called - have to be taken into consideration, at the same time, the enactment does not guarantee them protection forever. Whilst they are deemed to be street vendors, that status is subject to the final verification and allotment in accordance with Section 3.

xxx xxx xxx”

30. Thus, even the Division Bench in the aforesaid judgment has taken cognizance of the various clauses of the Delhi Street Vendors Scheme – 2016, which are also contained in the Delhi Street Vendors Scheme - 2019, and has recognized that no vending can be carried out in a ‘No Vending Zone’.
31. Accordingly, the petitioners have not been able to show any pre-existing right. Furthermore, it has come to the fore that the Connaught Place/Connaught Circus area is a ‘No Vending/No Hawing Zone’.
32. Accordingly, no fault is found in the action of the NDMC in removal of the goods of the petitioners from the ‘No Vending/No Vending Zone’.
33. In view thereof, the contempt notice is discharged.
34. The present petitions are dismissed. The pending applications also stand disposed of.

MINI PUSHKARNA, J

AUGUST 21, 2026/KR