



Serial No. 02
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 9 of 2024

Date of order: 29.07.2026

Andrew Aibok Jyrwa

...Petitioner

- versus -

1. The State of Meghalaya represented by the Chief Secretary, Government of Meghalaya.
2. The Commissioner and Secretary, Urban Affairs Department, Government of Meghalaya, Shillong.
3. The Director General of Police, Meghalaya, East Khasi Hills District, Pin-793001, Shillong.
4. The Superintendent of Police (Traffic), East Khasi Hills District, Pin-793001, Shillong.
5. The Deputy Commissioner, East Khasi Hills District, Shillong, Meghalaya.
6. The Shillong Municipal Board represented by its Chief Executive Officer, Shillong.
7. The Town Vending Committee, Shillong, East Khasi Hills District, Shillong, Meghalaya.
8. Shillong Road Side Hawkers Association, represented by Working President, having its registered office at Gita Bhavan, Thana Road, Shillong.
9. Meghalaya and Greater Shillong Progressive Hawkers and Street Vendors Association, Lumpyngad, Motinagar, Shillong.

...Respondents

**Coram:**

Hon'ble Mrs. Justice Revati Mohite Dere, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioners : Mr N. Syngkon, Adv.
 Ms L. Phanjom, Adv.

For the Respondents : Mrs T. Yangi B., AAG with
 Mr K.P. Bhattacharjee, GA
 Mr S. Dey, Adv. [R6]
 Mr P. Yobin, Adv. [R9]

i)	Whether approved for reporting in Law journals etc.:	Yes/No
ii)	Whether approved for publication in press:	Yes/No

JUDGMENT: (per the Hon'ble, the Chief Justice) (Oral)

By the aforesaid Public Interest Litigation (PIL), the petitioner seeks relocation of the hawkers/street vendors from the prime congested roadside area of the city to designated areas as provided by the Government for hawking activities and to declare the main road of Laitumkhrah, Firebrigade Point, Khyndai Lad (Police Bazar), G.S. Road towards Motphran to be no hawking zone; and to provide measures to be put in place food safety standards and thereby, protecting the public from potential health hazards.



2. Several orders were passed in the aforesaid petition from time to time. Affidavits have also been filed by the concerned authorities in particular, by the Shillong Municipal Board, Shillong. In the last affidavit filed by Shri Prafulla Kumar Boro, Chief Executive Officer of the Shillong Municipal Board has stated in paragraph 3, as under:

“3. That accordingly, it is humbly stated as follows:

- a) That the State Government has duly notified the two vending zones, that is at SMB Parking Lot at Dhankheti (having an area of about 2,105 sq. feet.) and at the compound of Brightwell Bungalow at Barik (having an area of about 7,260 sq. feet), respectively.*
- b) That in so far the vending zone at SMB Parking Lot is concerned, the construction of the stalls was already complete. The total number of stalls therein shall be 32 (thirty-two), out of which, 30 stalls shall be the size of 1.8 metres by 1.2 metres, and 2 stalls (for kwai shops) shall be 1.2 metres by 1 metre, respectively. Further, out of the said 32 stalls therein, 22 (twenty two) stalls are for the vendors from Laitumkhrah area, and the remaining 10 (ten) are for the vendors from Dhankheti area.*
- c) That in so far the vending zone at Brightwell Bungalow is concerned, the construction of the stalls shall be completed by 5th August, 2026. The total number of stalls therein shall be 151 (one hundred fifty one), with each stall being 1.8 metres by 1.2 metres in size. Out of the said 151 stalls, 87 stalls are for the vendors from Phan Nonglait park, Barik, Laban, Red Cross and adjoining areas. The*



remaining 64 stalls therein are for the vendors from Laitumkhrah area.

- d) That all the vendors holding valid COVs have been directed to relocate to the designated/ notified vending zone(s) on or before 17th August 2026.*
- e) That the stalls shall be allotted in a trade-wise draw of lots manner. That is to say, the stalls will be allocated trade wise, and all vendors having the same/ similar trade shall have a draw of lots amongst them for allocation of stall numbers, etc.*
- f) That the waste management and disposal from these vending zones shall be maintained and carried out by the Shillong Municipal Board, so as to ensure cleanliness and effective waste disposal.*
- g) That no trees have been cut down for the purpose of the said construction of stalls in the notified vending zones.*
- h) That subject to the Meghalaya Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2023, the relocation of the vendors to the allotted stalls shall be permanent in nature and they shall not be displaced/ relocated elsewhere in future.*
- i) That it is also clarified that after inspection headed by the Deputy Commissioner, the Brightwell Bungalow has not been added in the list of Heritage buildings/ structures. Further, the notified vending zone is entirely independent of the existing building. The notified vending zone/ site has already been duly carved out and segregated from the main compound/ existing building. The area earmarked for*



the notified vending zone/ site has been physically demarcated by means of permanent barricading.

- j) That pursuant to the order passed by this Hon'ble Court, an inspection of the Brightwell Bungalow had been carried out with all the concerned stakeholders and vendors. During the course of such inspection, they were afforded full access to the site and were shown the exact location, extent, and boundaries of the area of the notified vending zone/ site, and consequently, they expressed their satisfaction with the location and physical demarcation of the notified vending zone/ site and did not raise any objection regarding its identification, segregation suitability.*
- k) That vide Notification dated 20th February 2026, the entire stretch of roads at Laitumkharh Area, Dhankheti, Malki Point, Barik, Phannonglait Park, Redeross, Laban, and Lumshatsngi area, have been declared as a "No Vending Zones" with immediate effect in the interest of smooth traffic flow and public convenience. Further, the PTVCL also has requested the State Government to notify the specific areas presently occupied by the street vendors as "No Vending Zones" after their relocation is completed.*
- l) That the Shillong Municipal Board reiterates that the entire exercise of identification, allotment and relocation is being undertaken solely with the object of protecting the livelihood of genuine street vendors while simultaneously ensuring free movement of pedestrians, effective traffic management, public safety, sanitation and planned urban development. The exercise is neither intended nor designed to deprive any genuine vendor of his or her source of livelihood, but rather to provide a secure, organised and permanent place for carrying on vending activities in accordance with law.*



- m) That only those street vendors who are duly identified and possess valid Certificates of Vending (CoV), or whose claims have been duly recognised under the Meghalaya Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2023, shall be eligible for allotment of the stalls. No unauthorised person or encroacher shall be permitted to claim any right over the notified vending zones merely by reason of past occupation of public streets.*
- n) That before finalisation of the relocation process, the Shillong Municipal Board, in coordination with the competent authorities and the Town Vending Committee, has undertaken proper verification of the identity and eligibility of the vendors so as to ensure that only genuine vendors receive the benefit of rehabilitation and that no fictitious, duplicate or ineligible claimant is accommodated.*
- o) That the allotment of stalls through a trade-wise draw of lots has been adopted solely to ensure complete transparency, fairness and equal treatment amongst similarly situated vendors. The said procedure eliminates arbitrariness, favouritism and discrimination and provides every eligible vendor an equal opportunity of obtaining a stall.*
- p) That the notified vending zones have been developed with the objective of providing a more secure and hygienic working environment for the vendors by ensuring proper access, sanitation, waste management, public conveniences and organised vending spaces, thereby improving both the working conditions of the vendors as well as the convenience of the general public.*
- q) That the Shillong Municipal Board shall maintain a proper register containing the particulars of every vendor to whom a stall is allotted, including the Certificate of Vending*



number, category of trade, allotted stall number and other relevant particulars, so as to maintain transparency and accountability in the allotment process.

- r) That the Shillong Municipal Board has not adopted any policy of eviction without rehabilitation. On the contrary, every genuine and eligible vendor has first been offered an alternative vending space in the duly notified vending zones before enforcement of the "No Vending Zone" notification in the respective areas.*
- s) That the relocation process has been undertaken strictly in conformity with the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, the Meghalaya Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2023, and the resolutions and recommendations of the competent authorities including the Town Vending Committee.*
- t) That the Shillong Municipal Board remains committed to addressing any genuine grievance relating to allotment or relocation through an appropriate administrative mechanism, and any vendor having a legitimate grievance may approach the competent authority for redressal in accordance with law, thereby ensuring that no genuine vendor suffers on account of any inadvertent error.*
- u) That the Shillong Municipal Board respectfully submits that the present rehabilitation/ relocation exercise strikes a fair balance between the constitutional right of genuine street vendors to carry on their occupation under Article 19(1)(g) of the Constitution and the corresponding rights of the public to unobstructed roads, safe pedestrian movement, public health and orderly civic administration, and is therefore in larger public interest."*



3. The affidavit is exhaustive. It appears from the said affidavit that the construction of the stalls will be completed by 05.08.2026 and will be handed over to the respective COV holders latest by 17.08.2026.
4. In view of what has been stated in the affidavit as reproduced hereinabove, nothing survives for further consideration in the petition. Accordingly, the PIL stands disposed of.
5. List the PIL for compliance of the assurance given by the Shillong Municipal Board on **20th August, 2026**.
6. All parties to act on the authenticated copy of this order.

(W. Diengdoh)
Judge

(Revati Mohite Dere)
Chief Justice