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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 11th August, 2026Uploaded on: 13th August, 2026

CNR No. DLHC010361192026

+ W.P.(C) 11216/2026

SAROJINI NAGAR MARKET THAREJA TEHBAZARI

VENDORS ASSOCIATION (REGD.) & ORS. Petitioners

Through: Mr. Kirti Uppal, Sr. Adv. with Ms.
Aastha Dhawan, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL & ORS. Respondents

Through: Mr. Sriharsha Peechara, Standing
Counsel with Mr Aditya Bharat
Manubarwala, ASC, Mr Soumit
Ganguli, Ms Ravicha Sharma, Ms
Tanishka Grover and Mr Akash
Sharma, Advs. for NDMC.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 51956/2026 (exemption)

2. Allowed, subject to just exceptions.

3. The application is disposed of.

W.P.(C) 11216/2026 & CM APPL. 51955/2026 (stay)4. This is a petition filed by four *Tehbazari* License Holders' Association
namely, Sarojini Nagar Market Thareja *Tehbazari* Vendors Association



(Regd.), Palika Bazar Verified *Tehbazari* Association (Regd.), Verified *Tehbazari* Vender's Association (Regd.) and Janpath Lane *Tehbazari* Shopkeepers Association (Regd.).

5. It is the case of the *Tehbazari* license holders that their eligibility and sites stand finally determined through the Thareja and Chaturvedi Committee Reports and their licenses have been issued in view of the said reports. According to these Petitioners, there is no validity period to their licenses. The objection of the Petitioners is that a fresh survey registration process cannot be commenced insofar as they are concerned.

6. The reliefs sought in this petition are as under:

“a. Issue a writ of mandamus or any other appropriate writ, order or direction directing the Respondents no. 1 and 2 not to subject the holders of subsisting pre-existing licences, including Old The Bazari, Thareja verified license holders and Kashmiri Migrants to undergo the common survey, registration and Certificate of Vending process under The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 Act and The Government of National Capital Territory of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019;

b. Issue a writ in the nature of Certiorari and/or any other appropriate writ, order or direction quashing the action of Respondent Nos. 1 and 2 insofar as it compels such licence holders to submit fresh survey/registration forms; apply for or accept Certificates of Vending as also indicate alternate vending sites which is contrary to the provisions of the 2014 Act and 2019 Scheme;

c. Issue a writ of mandamus or any other appropriate writ, order or direction directing the Respondents to



treat such licence holders as a separate category and to carry forward their existing licences and site allotments, subject only to limited verification of current particulars.

d. pass such other and further orders as may be deemed just and proper in the facts and circumstances of the present case.”

7. The submission of Mr. Kirti Uppal, Id. Senior Counsel and Ms. Aastha Dhawan, Id. Counsel appearing for the Petitioners is that under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 [*hereinafter* ‘Act’], in terms of the proviso to Section 4 of the Act, the Petitioners have to be deemed as street vendors and in terms of Section 11.3.8 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019 [*hereinafter* ‘Scheme’], all previously issued license holders need not receive a new Certificate of Vending [*hereinafter* ‘CoV’] until their previous validity expires. It is their case that the present survey which is being conducted is contrary to Section 4 of the Act and the provisions of the Scheme as the survey of the New Delhi Municipal Council [*hereinafter* ‘NDMC’] would in effect mean that fresh CoV would be issued to them with fresh terms, which would be contrary to law.

8. Mr. Sriharsha Peechara, Id. Standing Counsel for the NDMC submits that under Section 29(1) of the Act, no vendor can claim a perpetual right to carry out vending activities. The survey which is being carried out is a part of finalization of the vending plan in terms of Section 21 of the Act where the Government of National Capital Territory of Delhi [*hereinafter* ‘GNCTD’] has asked the NDMC to also survey the existing *Tehbazari* holders as well.

9. The Court has considered the matter. Presently, insofar as the NDMC



area is concerned, the survey of all vendors have been completed except for the *Tehbazari* license holders and Thareja Committee vendors, most of whom had not participated in the survey which was conducted by the NDMC.

10. The NDMC had accordingly, finalized the vending plan of all non-*Tehbazari* and non-Thareja Committee vendors and had submitted the same to the GNCTD. The GNCTD had then sent the plan back to the NDMC asking the NDMC to complete the survey of the *Tehbazari* license holders including the Thareja Committee license holders. The NDMC, in its Minutes of meeting dated 30th June 2026 has also resolved as under:

“Subject : Minutes of the Meeting of the Town Vending Committee (TVC) held on 30.06.2026 at 3:30 PM at the Convention Centre, NDCC Phase-II, Jai Singh Road, New Delhi.

A meeting of the Town Vending Committee (TVC) was convened on 30.06.2026 at 3:30 PM in the 1st Floor, Convention Centre, NDCC Phase-II, Jai Singh Road, New Delhi, to discuss the following agenda items:

a) Compliance with the directions of the Hon’ble High Court vide order dated 18.05.2026 in W.P.(C) 8479/2023 (Chandni Chowk Sarv Vyaapar Mandal & Ors. vs. GNCTD & Ors.), connected with W.P.(C) 15211/2025 (SMSA vs. TVC & Ors.), W.P.(C) 151/2026 (PBSWA vs. GNCTD), W.P.(C) 16616/2025 (Pradeep Kundra & Ors. vs. NDMC & Ors.), and W.P.(C) 19705/2025 (Praveen Kundra & Ors. vs. NDMC & Ors.)

b) Any other matter relating to the regulation of street vending activities, implementation of Court directions, survey and verification of vendors, issuance of Certificates of Vending (CoVs), identification of vending sites, or any connected issue.



2. As the Chairman, NDMC, was preoccupied with urgent administrative matters, the meeting was chaired by the Secretary, NDMC. The list of officers and other TVC members, who attended the meeting, is enclosed as Annexure-A.

3. In reference of agenda Item No.1, TVC was appraised Order dated 18.05.2026 passed by the Hon'ble High Court of Delhi and Minutes of Meeting of Chief Secretary, GNCTD on the said issue.

In compliance of Hon'ble Court order, a meeting was convened on 02.06.2026 under the Chairmanship of the Chief Secretary, GNCTD and following issues were raised in the said meeting:

- i. NDTA objected that Connaught Place/Connaught Circles, including Palika Bazar, Regal/Rivoli area, Khan Market and Sarojini Nagar, shall continue as No-Vending/No-Hawking Zones as provided in the NDMC Scheme, 2007.
- ii. In other side, Hawker Suraksha Foundation & others raised issues that these above areas should be declared vending Zone as vending activities are being carried out in these areas traditionally.
- iii. Adarsh Viklang Suraksha Samiti raised issue that the existing sites between Gate Nos. 3 and 4 of Palika Bazar may be recognized as a vending site for vendors belonging to the disabled category.
- iv. Whether Tehbazari holders & others, who did not participate in the survey, may be considered for inclusion as street vendors or not, for issuance of CoV.

As per MoM dated 18.06.2025 of Chief Secretary, it was decided that

'The issues raised in meeting shall be examined by the Law Department after obtaining comments from



the Local Bodies within seven days. The legal opinion so obtained shall thereafter be placed by the Urban Development Department before the Competent Authority for an appropriate legally sustainable decision and shared with the concerned Local Bodies for further necessary action in accordance with law.'

4. During the TVC meeting, following representations were also submitted and discussed:

- i. Representation from Sarojini Nagar Market Thareja Tehbazari Vendor Association (Regd.) regarding the survey of existing Tehbazari licence holders, updation of departmental records, and disposal of pending legal heir transfer cases.*
- ii. Representation from Janpath Lane Small Shopkeepers Trader Association (Regd.) regarding issue of survey of street vendors, legal heir transfers, and the status of existing Tehbazari licence holders.*

5. The above observations/directions of Hon'ble Court and Chief Secretary, GNCTD and representations were discussed in details and elected TVC members unanimously proposed that they have no objection to conduct a survey of Old Tehbazari, Thareja-verified vendors and Kashmiri migrants (who are street vendors in NDMC area) with simultaneously identification of additional vending sites for them in addition to the presently identified vending sites in the Draft Vending Plan. Other members of the TVC also echoed on same lines.

6. It was also appraised to TVC that various objections has been received after issuance of provisional CoVs in various aspects, such as issuance of CoVs on basis of misrepresentation, issuance of CoVs to more than one family members, another market name in CoVs, recommendation of non-vending area/vending area in recommended Vending Plan etc. After detailed



discussions and deliberations, it was proposed that, with the approval of the Competent Authority/TVC, a designated committee may be constituted comprising representatives of the concerned Departments of NDMC and members of the TVC, as follows:

- i. Director (Enforcement), North, NDMC*
- ii. Director (Enforcement), South, NDMC*
- iii. Chief Architect, NDMC*
- iv. Joint Director (Enforcement) of the concerned Zone-Convener*
- v. Elected TVC Members (Street Vendors)*

The above committee may be entrusted with the responsibility of examining complaints, verifying records, seeking necessary clarifications, wherever required, and submitting its recommendations within a stipulated time for consideration by the Competent Authority/TVC. While undertaking such scrutiny, the Committee may take into consideration the following:

- a) Available departmental records;*
- b) Survey data;*
- c) Eligibility criteria prescribed under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and the applicable Scheme;*
- d) Relevant judicial directions; and*
- e) Any other relevant statutory provisions or material considered appropriate on a case-to-case basis.*

7. Observation of Hon'ble High Court and representations on the issue of notification of non-vending/vending areas in Connaught Place/Connaught Circus, including Palika Bazar and Regal-Rivoli area, Khan market and Sarojini Nagar were also appraised and discussed in detail. The TVC unanimously gave an opinion to seek comments from Delhi Traffic police and Delhi police on proposed vending sites in draft vending



plan for Connaught Place/Connaught Circus, including Palika Bazar and Regal-Rivoli area and accordingly their comments may be placed for the further consideration by TVC.

8. TVC after due deliberations, following decision was taken:

- i. To conduct a survey of Old Tehbazari, Thareja-verified vendors and Kashmiri migrants (who are street vendors in NDMC area) with simultaneously identification of additional vending sites for them in addition to the presently identified vending sites in the Draft Vending Plan.*
- ii. Constitution of designated committee as proposed at para no. 06 above.*
- iii. To seek comments from Delhi Traffic police and Delhi police on proposed vending sites in draft vending plan for Connaught Place/Connaught Circus, including Palika Bazar and Regal-Rivoli area.*

The meeting concluded with a vote of thanks to the Chair.”

11. In view of this, presently, the NDMC has decided to carry out the survey of all the Petitioners’ members i.e., the *Tehbazari* license holders including the Thareja Committee licensees. The survey by the NDMC or Municipal Corporation of Delhi [hereinafter ‘MCD’] of these license holders is also essential inasmuch any piecemeal survey would not be useful in order to determine the number of vendors, number of *Tehbazari* holders and the number of spaces that need to be carved out.

12. Any vending plan, whether in the NDMC area or the MCD area, has to be comprehensive in nature. The 2014 Act and the Scheme fully address the apprehensions of the Petitioners. The relevant provisions of the Act are set



out below:

Section 4 of the Act

“4. Issue of certificate of vending.—(1) Every street vendor, identified under the survey carried out under sub-section (1) of section 3, who has completed the age of fourteen years or such age as may be prescribed by the appropriate Government, shall be issued a certificate of vending by the Town Vending Committee, subject to such terms and conditions and within the period specified in the scheme including the restrictions specified in the plan for street vending:

Provided that a person, whether or not included under the survey under sub-section (1) of section 3, who has been issued a certificate of vending before the commencement of this Act, whether known as licence or any other form of permission (whether as a stationary vendor or a mobile vendor or under any other category) shall be deemed to be a street vendor for that category for the period for which he has been issued such certificate of vending.”

Section 21 of the Act

“21. Plan for street vending.—(1) Every local authority shall, in consultation with the planning authority and on the recommendations of the Town Vending Committee, once in every five years, prepare a plan to promote the vocation of street vendors covering the matters contained in the First Schedule.

(2) The plan for street vending prepared by the local authority shall be submitted to the appropriate Government for approval and that Government shall, before notifying the plan, determine the norms applicable to the street vendors.”



Section 29 of the Act

“29. Provisions of this Act, not to be construed as conferring ownership rights, etc.—(1) Nothing contained in this Act shall be construed as conferring upon a street vendor any temporary, permanent or perpetual right of carrying out vending activities in the vending zones allotted to him or in respect of any place on which he carries on such vending activity.

(2) Nothing contained in sub-section (1) shall apply to any stationery vendor, if a temporary leasehold or ownership right has been conferred on him by a lease deed or otherwise, in respect of a place at specific location where he carries on such vending activity in accordance with the provisions of any law for the time being in force for carrying out such vending activity.”

13. The relevant provisions of the Scheme are set out below:

Section 9.3.1 of the Scheme

“9.3 Any other matter which may be included in the scheme for carrying out the purposes of this Act. Policy for existing street vendors allotted site/spaces under old scheme(s):

(9.3.1) A person, whether or not included under the survey, who has been issued a certificate of vending by Local Body before the commencement of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, whether known as licensee or have any other form of permission (whether as a stationary vendor or a mobile vendor or under any other category) shall be deemed to be a street vendor for that category for the period for which he/she has been issued such certificate of vending. Further validity period of COV shall commence from the date of this scheme is notified and vending fee will be charged accordingly.”



Section 11.3.8 of the Scheme

“(11.3.8) All Existing License holders who have received license previously from any Local Body of Delhi shall not receive new COV under the new scheme till their previous validity expires, however they can avail all the benefits mentioned under the new Scheme.”

14. A perusal of the above would show that all license holders, who are holding licenses prior to the commencement of the Act, would also be required to come within the Scheme and vending fee would also be liable to be paid by them.

15. Moreover, under Section 11.3.8 of the Scheme, the question as to whether the licenses of any *Tehbazari* holders have expired or not would have to be determined by the Town Vending Committee-II [*hereinafter*, ‘TVC-II’].

16. In addition, it is Mr. Peechara’s submission that all the Petitioners’ members and other *Tehbazari* holders/Thareja Committee license holders were all issued licenses between 1970 and 1990 prior to the commencement of the Act and all such vendors would have to come under the overall umbrella of the Act. This position is disputed by Mr. Uppal, Id. Senior Counsel.

17. At this stage, the only question is whether the survey which is being carried out needs to be interdicted in any manner or not. In the opinion of this Court, for various reasons, in order to even finalize the vending plan, the survey would be essential. Id. Counsel for the NDMC, is merely saying that the survey is being conducted in order to finalize the vending plan under Section 21 of the Act.

18. The TVC-II is also in the process of being constituted both by the NDMC and the MCD. Under such circumstances, this petition is premature. This Court is not inclined to interdict the survey which is being carried out of



the *Tehbazari* license holders. The survey shall accordingly, continue. If any coercive measures are taken, the Petitioners or their members are free to approach the Court.

19. The petition is disposed of in the above terms. The pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

AUGUST 11, 2026
aj/Ck