

THE TIMES OF INDIA

Chennai corporation bypasses law, allocates space to vendors on the Marina

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CHENNAI: The sands of the Marina are being invaded, with official permission. On paper officials of Greater Chennai Corporation may be busy regulating vendors on the beach for the past two weeks, but in reality they are giving away, maybe unwittingly, the sands by bypassing rules and guidelines.

The corporation is not adhering to the Street Vendors (Protection Of Livelihood and Regulation Of Street Vending) Act, 2014 which states that only shops that have been enumerated in a survey should be provided space in the vending zone.

According to the biometric survey carried out by the corporation in 2017, 1,477 shops were enumerated. But now, there are nearly 2,200 shops and all have been provided space. The corporation has not laid down any conditions or eligibility criteria to give this space. "In a way they are regulating the proxies and unauthorised vendors. This is nothing but a big rip-off of the Marina," said Shanthi Suresh, a resident.

FREE FOR ALL

Number of vendors on the Marina has gone up steadily. The corporation is out to regulate them but there are issues

VENDORS & PROLIFERATION

1,477 street vendors enumerated by corporation on Marina Beach in 2017

1,800 to 2,200 vendors at present

15 associations of street vendors on Marina Beach

200 to 700 members in each association

Since 1980s vendors are operating on the beach

25% of the population of the area (ward, zone or city) as specified by corporation can be street vendors

PROBLEMS GALORE

All vendors allotted space even though 1,477 enumerated

Entry level restrictions not in place

Conditions to set up shops not laid

FSAI certificates not mandated

Presses not removed

Meetings with vendor committee yet to be held

One family can set up one shop, but some vendors have five to six shops, some collect rents

Penalty for violators not finalised

As per the act, the civic body should survey the vendors and give them certificates for vending that will be renewed every year.

“Conditions for issue of certificate should be created. Every vendor should give an undertaking to the town vending committee before the certificate is issued that he shall carry on the business of street vending himself or through any of his family member and that he has no other means of livelihood,” said Arbind Singh, national co-ordinator of National Association of Street Vendors of India (NASVI). “He should also not transfer in any manner, including rent, the certificate or the place to any other person.”

THE LAW

The Street Vendors (Protection Of Livelihood and Regulation Of Street Vending) Act, 2014 has provisions for:

- > Survey of street vendors and protection from eviction or relocation
- > Issue of certificate of vending, conditions for issue of such certificates
- > Categories of certificate of vending and issue of identity cards
- > Criteria for issuing certificate of vending
- > Vending fees
- > Validity and renewal of certificate
- > Cancellation or suspension of certificate
- > Appeal from decision of Town Vending Committee

WHAT THE LAW SAYS

As per the act, a vendor should:

- > Give an undertaking to the town Vending Committee that he shall carry on the business himself or through any of his family member
- > Has no other means of livelihood
- > Not transfer in any manner, including rent, the certificate of vending or the place specified to any other person

But not far from the Labour Statue vendor R Radha* said she paid Rs 300 as rent every day to a man for allowing her to set up a shop. She was neither part of the biometric survey nor has an ID card. “There are many such people who demand `50,000 to `1 lakh for shops on the Marina,” said V Maheshwaran, all-India secretary, south zone, of NASVI.

P Muthu of Tamil Nadu Netaji Subash Chandra Bose (Unorganised Workers) Association questioned the rationale behind the relocation even before the street vending committee was formed. "Many of us do not have ID cards. They told us each shop will be numbered and we will be given ID cards," he said.

Hygiene is another aspect that has to be addressed before shops are allotted. The shops should have Food Safety and Standards Authority of India (FSSAI) certificates. The corporation has announced that it would collect Rs 100 from each shop per month as a 'cleaning fee' but receipts for the same are not ready yet.

Rajesh M, a vendor, said the corporation had not even verified who ran the shops. "They have given ID cards to those who do not even have shops here," he said.

In New Delhi where vendors are regulated, enumeration and creation of vending zones was a tedious process. "The rule is clear. Only one shop will be allowed per family. Even if they are brothers living in the same family, they cannot get a separate space," said Arbind Singh.

Civic authorities said they were aware that some vendors owned multiple shops and some collected rent. "We will weed them out by clicking photographs of each shop and by providing a unique number to each shop. Currently, whoever is running a shop will get a certificate and a space," said an official.