

NATIONAL CONVENTION OF STREET VENDORS IN INDIA 2022

Narayan Sarovar, Kuchchh, Gujarat | March 2022

*'Empowering Street Vendors for Ground Up Action and
Inclusion'*



NATIONAL HAWKER FEDERATION

With support from





Report of National Convention of Street Vendors in India
March 2022
Narayan Sarovar, Kuchchh, Gujarat

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Published by:
Homes in the City (HIC)
Plot No. 16, "Yogeshwar"
Opp. Bhuj Gymkhana
Ghanshyam Nagar
Bhuj – Kuchchh – 370001

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SUMMARY

The following report documents the proceedings of The National Convention of Street Vendors in India, which took place in March 2022. The overall agenda of the convention gravitated around a set of four general concerns from the perspective of different agencies and individuals interested in the advocacy of rights of street vendors, from on-ground representation to other organizations working directly with the state. The first topic was on the implementation hurdles of the Street Vendors Act of 2014, followed by issues of street vending invisibility in the urban development narrative, impact of COVID-19 pandemic and the challenge of e-commerce in street vending, as well as the relation between climate change and street vendors.

The convention was spread throughout a period of three days, and divided in seven different sessions: (i) Climate Change and Crisis (dirty energy, green climate fund), (ii) International Financial Institutions and Unorganized Sector (iii) Revolution against Plastic Pollution, Workers' Rights, (iv) Right to city, inclusive development, urban space, reserved space of 2.5% for hawkers in the Master Plan, (v) Vending Plan and Principles of No Vending Zones, (vi) Role of Judiciary, Implementation of the Act, and (vii) a session on Patriarchy. The convention concluded with the Narayan Sarovar Declaration and a cultural event celebrating the gathering and its collective strive, with a positive outlook on the future.

ACKNOWLEDGEMENTS

Over 90 per cent of the workforce gets their livelihood from the unorganized sector and street vending is one of the largest sub-sectors within the unorganized sector. As per National Hawker Federation (NHF), there are about 40 million street vendors across the country, having INR 800 million turnover per day. Considering the importance of this sub-sector, the Government of India has enacted, 'The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014', in order to protect and regularize this work. However, this Act was the result of a long struggle by several organizations, unions and street vendors. NHF was one of the leading organizations which has been fighting for legal protection for the street vendors since the '80s.

Though, vendors' plight did not end after enactment of the said Act due to halfhearted implementation of this Act. This three-day national convention was organized to discuss the status of implementation of the Act, present issues and what needs to be done to transform the situation by ensuring compliance of the provisions of the Act.

We are grateful to NHF leaders from different states who came travelling long distances to participate and contribute to the purpose of the convention.

We are also grateful to representatives of the organizations, including Centre for Financial Accountability, Himalaya Niti Abhiyan, Environics Trust, PAIGAM, Break Free From Plastic, Human Rights Law Network (HRLN), Jagori, The Urban Lab (TUL) for their enthusiastic participation and sharing their knowledge and experience with regard to street vending.

We thank chaal.chaal.org for documenting this entire event due to which we are able to spread the concerns of street vendors to larger audiences, researchers and policy makers.

Last but not least, we express our gratitude to the team members who worked day and night to make this event successful.

Aseem Mishra

Director

Homes in the City (HIC)

Bhuj-Kuchchh

INTRODUCTION

Since the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 (hereafter referred as SVA) was passed eight years ago, there have only been a handful of cities in the entire country which have seen minimal implementation on the ground. Although all states have released their Street Vendor Rules and Schemes as per the Act, specifying the procedures related to the implementation of the Act in the respective state, most of the provisions in these schemes and rules are in contravention of the basic principles of the Street Vendors Act. The basic structure of the Act is still not widely understood or implemented by most states in the country.

Simultaneously, in years after the elaboration of the Act, evictions and legal challenges against street vendors have shot up manifold, which has led to many ongoing cases in various High Courts, something that speaks volumes against the constitutionality of this Act itself. The narrative of street vendors within urban spaces has been discussed around the following:

Implementation hurdles of the Street Vendors Act, 2014

The SVA mandates each state to draft their own Rules and Schemes according to the basic structure maintained in the Act. It further directs city governments to draft bye-laws and vending plans to help better protect and regulate street vendor markets at the city-level. However, we have seen that most of the states' Rules and Schemes do not adhere to the most basic principles of the Act, whether related to representation of vendors in Town Vending Committees (TVC) or principles and procedures relating to the surveys or certificates of vending, and principles of relocation and accommodating vendors. Moreover, private market associations in various cities have mounted legal challenges to any claims of right to livelihood made by vendors, resulting in defeat for vendors as they are not able to afford long drawn legal battles. For the successful implementation of the Act and welfare of millions of street vendors, the basic structure of each Scheme, Rules, Bye-laws and Vending Plan need to be derived exclusively from the Act.

Street Vending Invisibility in the Urban Development Narrative

The current understanding of urban development and Smart Cities in the Indian context prioritizes smart public utilities with Internet of Things (IoT), high-rise buildings, multi-level parking and supermarkets, whilst everyday realities of Indian cities encompassing street vendors and low circuit economies remain invisible. In fact, there have been concerted efforts by most development authorities in different states to establish task force teams to clear street-level 'encroachments' which refer solely to street vendors; an agenda aimed at ensuring a certain level of 'beautification' of the city. According to this development narrative,

vendors are often portrayed as unhygienic squatters, who do not pay any kind of taxes and provide low quality goods or food to citizens without adding practical value to the economy, culture and aesthetics of the city. This view is manifested in a complete exclusion of street vendors from the masterplans or development plans of our cities.

However, it can be seen from various international examples that street vendors add value to the cultural heritage of the city. Street food is not only an important source of food for all sections of society, but also promotes tourism and entrepreneurship in urban areas. Planned cities and street vendors must go hand in hand in the next phase of implementation of the Act.

COVID-19 and the Challenge of E-commerce in Street Vending

The advent of online shopping and electronic services has caused the urban economy to adapt to new changes. Online shopping is now a staple for distribution of basic goods, groceries, fruits and vegetables, and other items, which are usually found in street vendor markets. This new economy is deliberately replacing the low circuit economy which is directly responsible for employment generation of millions of street vendors.

Street vending is a resilient form of entrepreneurship, open to all, within the frame of informal economies. While the informal sector provides 93% of India's employment, it was devastated by the COVID-19 pandemic; since most of their revenue relies on face-to-face interaction with customers (which was not possible under the initial preventive restrictions), it was difficult for the vendors to carry forward even after lockdowns were lifted. As most informal workers in developing economies have low incomes, they do not have the means to adopt alternative modes of work.

Climate Change and Street Vendors

Street vending are climate friendly micro-enterprises. Their carbon footprint, in terms of usage of resources, is negligible. They also act as direct outlets for local agricultural produce as they rely on shorter and more localized supply chains. However, street vendors are at the forefront of bearing the ill-effects of climate change in urban areas, as they are exposed most directly to heatwaves, pollution, and climate-induced hazards.

Despite of this, street vendors have often been villainized for their use of unsustainable materials such as single use plastics; the use of plastic, although widespread amongst vendors, becomes a reason to outlaw vendors. Paradoxically, there are very few restrictions on plastic manufacturers, and there is little to no concerted effort to retrofit the streets with adequate infrastructure to maintain cleanliness.

Objectives of the Convention

In this context, there is a fundamental need to deliberate with the hawker representatives and apprise them of these issues. Local community leaders must be empowered to deal with these cross-sectoral issues within their cities and at the hyper-local level. This assembly also included training programmes, which focused on the capacity-building of vendor representatives on five major issues:

1. **Status of Act Implementation at the State-level:** Leaders from over 25 states across India shared recent developments in their states related to street vendors, vending zones, surveys, and other crucial issues.
2. **Positive Developments for Vendors in Urban Spaces:** Legal victories, inclusion in vending spaces in Master Plans, recognition of vendors by the Urban Local Bodies (ULBs) and other such stories shared by leaders from different states.
3. **Emerging Challenges of Street Vendors:** Emerging challenges of e-commerce, poor implementation of the Act, and other hurdles faced by vendors on the ground were discussed.
4. **Climate Change and Street Vendors:** Discussions were held on the future of sustainable cities and the role of street vendors in the present context of climate change.
5. **Development of Model Street Vending Schemes/Zones/Plans and City-level Bye-laws.**

INAUGURAL SESSION

The inaugural session was headed by the following remarks:

Collin Gonsalves, Senior Advocate, Supreme Court and President, NHF

Colin Gonsalves in a Senior Advocate in the Supreme Court of India and the founder of the Human Rights Law Network (HRLN). He expressed his disappointment regarding the fact that although the law was enacted in 2014, has it has still not been implemented in its true spirit. As per his experience, administration hardly makes efforts to implement laws favoring the poor. Unfortunately, when the law is against the poor, then it is implemented with greater commitment. HRLN has approached the High Court for not implementing the SVA by not constituting the TVCs and, administration is not even aware about the TVCs. He proceeded to describe the inaccuracies and biases in the vendors' surveys, which further on victimize vendors by not acknowledging their presence. He also highlighted conflicts with shopkeepers and the legal battles they were facing to re-think public parking spaces.

He claimed that *"if the National Hawker Federation (NHF) was not in existence, then this law and its implementation would never have taken place"*. He opined that the court would

order in an on-going litigation that the survey should be completed first in three to four months, after which elections will take place to constitute the TVC. This will be concluded with the distribution of identity cards and subsequent registration. If the verdict is out, vendors would be able to get their licenses, even after seven years of enactment of the said Act. The court emphasizes on no eviction until and unless the survey is completed and hawkers are given licenses. Following which, the hawkers will be shifted from no-vending to vending zones, but without eviction. However, evictions are still undertaken in cities. Towards the conclusion of the session, he expressed his hope, that by the end of 2022, TVCs will be formed all over the country along with the issuing of license: *"Seven years is a long time, we have to keep patience and wait for victory."*

Jammu Anand, Vice-President, NHF

This was followed by Jammu Anand explaining the objectives of this convention. He commenced by addressing and welcoming all participants from all over the country. He highlighted the fact that everyone was able to meet after three years by defeating the COVID-19 pandemic. He referred to the recently passed budget by the Government of India wherein the 'unorganized' sector was completely excluded and, in fact, constantly under threat.

Jammu Anand argued that *"the law was made in 2014 after a long struggle to make hawking accepted as a legal*

profession and business by accepting the fact that hawkers play a very important role in our country's economy, day-to-day life of a common man. In the last two years, most state governments have been trying to get this law into motion. Although seven years has been passed since the law was enacted, what are we seeing? The number of threats that hawkers are facing now, has increased as there is no interest for the law to be implemented. It has been observed that before the law was enacted, the threats were lesser, in comparison to when the law came into force. Vendors have been facing a lot of new hurdles. In this conference, we have to discuss these challenges and the way forward."

Anita Das, General Secretary, All India Women Hawker Federation

She highlighted that the vendors have been struggling because of the COVID-19 pandemic for last three years. Some left street vending, while some took up other jobs and/or returned to their villages. They lost their savings in during this period.

On the one hand, government recognized vendors contribution in the low circuit economy and launched the Street Vendor's Atma Nirbhar Nidhi (SVANidhi) scheme. On the other hand, the municipal authorities undertake evictions and harass vendors. This conference will discuss how to deal and change such a situation.

Vinita Balekundre, General Secretary of Maharashtra Hawker Federation

She informed that NHF has been active in 29 districts of Maharashtra and associated with about 100 Unions. However, there are several cases of evictions reported and vending licenses have not been issued to a large number of vendors yet. Therefore, it is very clear that the struggle to implement the Act would take time.

Sandeep Minhas, Himalayan Niti Abhiyan

He commenced by sharing that the hawkers in Himachal Pradesh were initially present in very small groups. It was decided to form a collective of vendors. The municipal survey just recorded 121 vendors in Kullu city which was prima facie very underestimated as per experience of local people. Hence, they undertook a survey involving vendors' collective and identified 366 vendors in Kullu. He shared that the government surveys usually excluded seasonal vendors/vendors who sell in weekly, by-weekly, fortnight, monthly markets. It is imperative to understand dynamics of this sector in order to implement the SVA properly.

Shri Ram, Vice President, NHF, Delhi

He said that the SVA was enacted due to long struggle of organizations such as the NHF. However, street vendors still struggle a lot and are harassed due to non-

**Amrit Prasad, General Secretary,
NHF - Bihar**

He shared his experience of Bodhi Gaya, an international tourist place with presence of Buddhist monastery. Vendors were evicted despite the fact they were issued certificates by the municipal corporation. However, they only resumed their right to vend after 21 days of continuous protest at the district collector office.

The convention brought together important on-ground expertise and experiences around seven themes. Some of these have been captured in the following sections, which summarizes the presentations made over the period of three days.

Climate Change and Crisis, Dirty Energy, Green Climate Fund

In this session, the speakers spoke about to what extent and how hawkers are vulnerable due to climate change and what kind of interventions are needed to make this sector resilient to cope-up with the adverse impacts of climate change.

The speaker brought forth how climate change is a global issue. Whether it is on the west coast or east coast of the country, extreme weather changes are occurring everywhere. Along with these situations, the business of ready-to-eat products and e-commerce have captured the market and straining the local vendors. For example, in the year 2020, around 22,000 tons of plastics were used by Zomato and Swiggy, in addition to the pollution caused by their use of petrol to deliver these items. On the contrary, if the same amounts of plastics would have been used by street vendors, they would have been immediately fined and victimized.

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diseases. Given this dire situation, it is crucial to ensure that citizens are aware about how street vendors not only provide facilities to the economically weaker sections of the society, but also have a smaller carbon footprint.

On the basis of these findings, one could argue that *“hawkers do not pollute, instead, hawkers are green.”*

Sandeep Minhas, Himalaya Niti Abhiyan

He highlighted as per estimates about 11% urban employment is associated/generated by the street vending. If one looks closely at the economy of this system, it is clear that the risks undertaken by one street vendor can be multiplied and converted into benefit/profit, making this is a very big factor of employment. To understand this further, the speaker emphasized on the following points:

- **Adaptability:** Hawkers are able to change their set of products as per seasons and requirements of citizens.
- **Small scale-industry:** Hawkers with small capital investments are able to set up businesses accessible to all.
- **Asset-light:** Hawkers are able to begin their businesses with minimal infrastructure investment and set-up on public spaces.

Given that hawking has great benefits and generates livelihood for larger group of citizens, it only makes sense to look at the impact of climate change on

them. The speaker explained how climate change and recurrent government decisions have adverse effects on this set of vulnerable citizens:

- **Urban development:** In the name of urban infrastructure development, state governments across India have been on a tree-cutting spree which, as we are aware, impacts our climate directly. Similarly, it also impacts the livelihood of many vendors who seek refuge under the shade of these trees, and do not have the privilege to be in air-conditioned spaces like malls which - through air conditioning - contribute to the overall increase of temperatures.
- **Agriculture sector:** Climate change has had the highest impact on the capacities to produce food. To combat this, the government has introduced climate mitigation policies to normalize it. According to the speaker, this mitigation refers to *“we will keep on destroying the climate, but we will give you money through different schemes such as the Pradhan Mantri Awas Yojana (PMAY).”* The government is not interested in making real change, but wants to solve these large issues with money.
- **Profit deficient:** Given the impact on food production, farmers are forced to abandon their only means of livelihood and head towards cities in search of income to sustain their families. Hawking then, as mentioned before, becomes an easy way to begin with in a large city.

- If we want to counter the above injustices and earn rights then: *“How do we assert that we need to customize the techniques according to our region? We need to ensure interventions through legislations. Tools such as strikes, marches, protests, can be used. We will have to resort to conflict and rebel. We should not be afraid of conflict, officers and elected representatives. There are a lot of dynamics and we should break these dynamics by talking to them or else they will trouble us because of the same dynamics. We need to assert ourselves and I am very sure that the results will be positive.”*

emphasized how these institutions work on a technocratic formula devoid of any ground realities. The speaker underlined the point to stay vigilant in terms of how these projects affect the everyday life of common citizens, and especially the unorganized sector. To emphasize on this point, she quoted few examples:

- The **Tata Mundra Plant** was developed with funding from the World Bank and later ADB, and it has been 12 years since it came into being. Had she been asked 11 years ago if anyone could challenge the World Bank, she would not have believed it, yet the people from Tata Mundra did so. A landmark case, *Budha Ismail Jam, et al. vs. IFC*, marked for the first time that communities affected by a World Bank/IFC-financed project took the institution to court. In 2015, Plaintiffs sued the IFC in the Federal Court of Washington, D.C., challenging the IFC's claim that it has 'absolute' immunity from suit in U.S. courts. That issue went to the U.S. Supreme Court, resulting in a historic decision in 2019, holding that international organizations such as the IFC and World Bank Group can be sued in the U.S. courts, where established exceptions to the immunity enjoyed by foreign nations apply. All this was possible because everyday lives and livelihood of people in Mundra were at stake and, therefore, they unionized and eventually presented their case in Washington D.C. The case and struggle of the people is still ongoing; but the foremost solution came from the

aggrieved people themselves. The speaker suggested that struggles emanating from the ground, from people unionizing themselves in relation to their grievances yield the best results. According to her, "*power to people*" should be our call.

- **Smart City Mission:** This is yet another grand project of the government rolled out in 2015 wherein funding was received from the World Bank, Asian Development Bank (ADB) and other similar multilateral agencies. Sonal explained the salient features of this mission from the lens of social exclusion and inclusive policy. She highlighted that the smart city mission, by-design, is biased against the urban poor or those living on the margins. She illustrated the case of Bhopal, wherein during the roll out of this mission, the entire stretch of areas like Hasnat Nagar were declared hawker-free zones. The new infrastructure created had no space for hawkers, street-vendors, as if the access to public space to earn livelihood was deemed a crime. A bunch of facilities were proposed in the name of access to parking spaces, clean roads, parks, and no noise for the privileged and wealthy groups. Such examples can be extended to privatization of public services too, as explained by the speaker.

"Several civil society groups, trade unions and street vendor's associations have posed fundamental and existential questions to the way the Smart City Mission has been carried out and is still

being executed in several cities. We need to ask - who is it for? Who benefits out of an exclusionary public infrastructure? Does 'smart city' mean a city devoid of the working class? Does the need for parking space, beautification and security mean that you do not let the street vendors earn their livelihood with dignity?"

The speaker finally concluded that any infrastructural development, irrespective of who is funding it, needs to uphold the core tenets and ideals of a life with dignity for all.

Anuradha Munshi, Centre for Financial Accountability

The speaker reinforced the need to understand, talk, and fight against the IFIs. Presently, there is a certain distance from them as we do not completely understand their role in our lives. But she demonstrated the influence that they have had on our state- and district-level policies since the '50s and '60s, where they managed to intervene to promote privatization. In an opportunistic manner, they have taken advantage of economic issues affecting people from the working-class sector.

She concluded by urging everyone to pay attention to the development policies being currently imposed and to build the capacity to challenge them.

Aakriti Bhatia, PAIGAM

The speaker discussed similar points raised by the previous speakers, yet in a more elaborate manner. She emphasized the fact that one needs to understand interlinkages. *"When we talk about any political, economic, or private institutions, we feel that they are superior to us or in higher positions than the hawkers who are sitting on platforms and roads."*

She elaborated solutions such as SVANidhi Yojana are not real ones. The loans that hawkers received need to be paid back, but the real asset building and support is when the rights on the place or livelihood of hawkers are recognized. Through this case, the speaker introduced the topics of land acquisition and privatization of space, wherein she discussed the example of the Central Vista project where there was no effect of lockdown - a project in which significant capital was invested in beautifying the Lutyens Delhi. Similarly in Ahmedabad, Gujarat, Gandhi Ashram is currently undergoing a similar process, converting the area to a mall to attract tourists - a proposal by the same developer of the Central Vista project. But then, they realized that they do not have money for social security or funds for daily and minimum wages for the labor class: *"We see contradictions in these situations."*

Additionally, she highlighted that with respect to labor laws, there has been a long fight to achieve basics such as:

- Limitation of eight hours of shifts.

- "We should understand one point, the distinguishing factor which was there before between organized sector and unorganized sector, self-employed or factory labor, privatization has destroyed the walls between them and is trying to get everyone in the same position and the private organizations are trying to make us poorer, more handicapped and dependent on these private sectors."*

The speaker explained the different types of IFIs such as the Asian Development Bank, World Bank, etc., along with their roles in shaping the lives of citizens.

- These biases have a very harmful effect on the country, especially the hawkers. The speaker emphasized on the importance of understanding who is contributing the money, where it is coming and going from. To do so, NHF has been constantly researching on this topic, till the extend

3.

[illegible]

**Satyarupa Sekhar, #breakfreefrom
plastic**

Satyarupa commenced with a brief introduction about the recent United Nations Environment Assembly meeting, wherein representatives from 193 countries governments and civil society had participated. Shaktiman Ghosh, General Secretary from NHF had also participated. The main aim of this meeting was to 'Ban on Plastic', as an appeal to limit use of plastic considering the damage to the environment and impact on

that by giving vendors a fixed shop does not mean they are giving them justice. Governments try to convince the vendors that they are attempting to upgrade them by giving them a fixed place, but for vendors, the real upgrade lies in getting a permit: the state approving their business is the real upgrade. Illustrating the examples of Guntur and Aurangabad, he explained how it is possible to deal with municipal corporations and work cordially with them. He further explained that, instead of dragging issues to the court, they can regularize vendors and their areas along with issuing certificates of vending to truly give them the respect, they deserve.

Aditya Singh, Hunnarshala Foundation

The speaker is a member of TVC in Bhuj. He is also involved in activities such as developing proposal for Vending Plan and undertaking survey of vendors. He elaborated about the process of forming the TVC in Bhuj, wherein a notice came from the state government (Gandhinagar) to the Bhuj *Nagarpalika* instructing to form a provisional TVC for one year. During this one year, the survey had to be conducted. However, the elected TVC was formed after three years, only after filing a public interest litigation (PIL) by the Bhuj Street Vendors Association in the Hon'ble Gujarat High Court to constitute the TVC. The speaker spoke about the experiences in Gujarat specifically, and explained that process takes place in a very centralized manner. For example, when the notice to form provisional TVC was issued, it was done without any adequate information

which misled the group in Bhuj. To navigate this, a few officials were sent to conduct the survey, which was undertaken without gaining appropriate knowledge about the city.

An additional problem was that whenever notifications come from a higher authority, there is a tone of penalization. That is why they felt they did not have a say in the process, and were in constant fear of hawker eradication. The notices or instructions are always given in such a way that if something is not done as mentioned, there will be a fine. Similarly, the authorities fail to understand that these instructions should be formed by having discussions with the people of Bhuj, hence there is a big disconnect between policies and practices.

Mohit Valecha, Core Committee Member, NHF, Delhi

The speaker explained the challenges in Delhi regarding the TVCs:

- Decisions are decided solely by the chairman (i.e., Municipal Commissioner) without the consideration of presented issues or are altogether ignored.
- Officers do not attend meetings, they attend only when there is pressure from a court or any orders of eviction.
- The chairman proposes new plans without any consideration of the opinions of hawkers. If the hawker committee tries to oppose the chairman's decision, the chairman retorts saying that, *"I am the chairman, do not oppose me"*.

5.

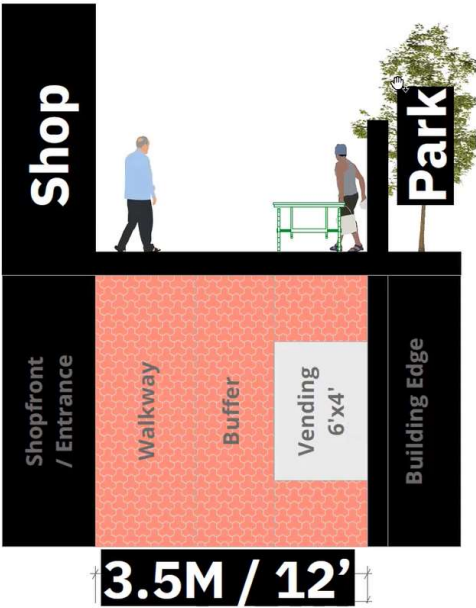
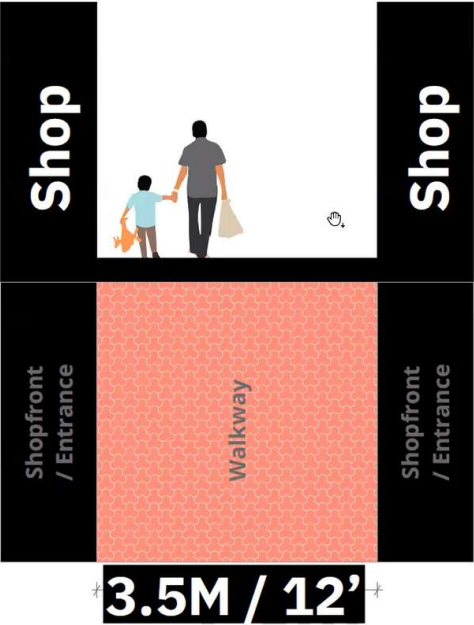
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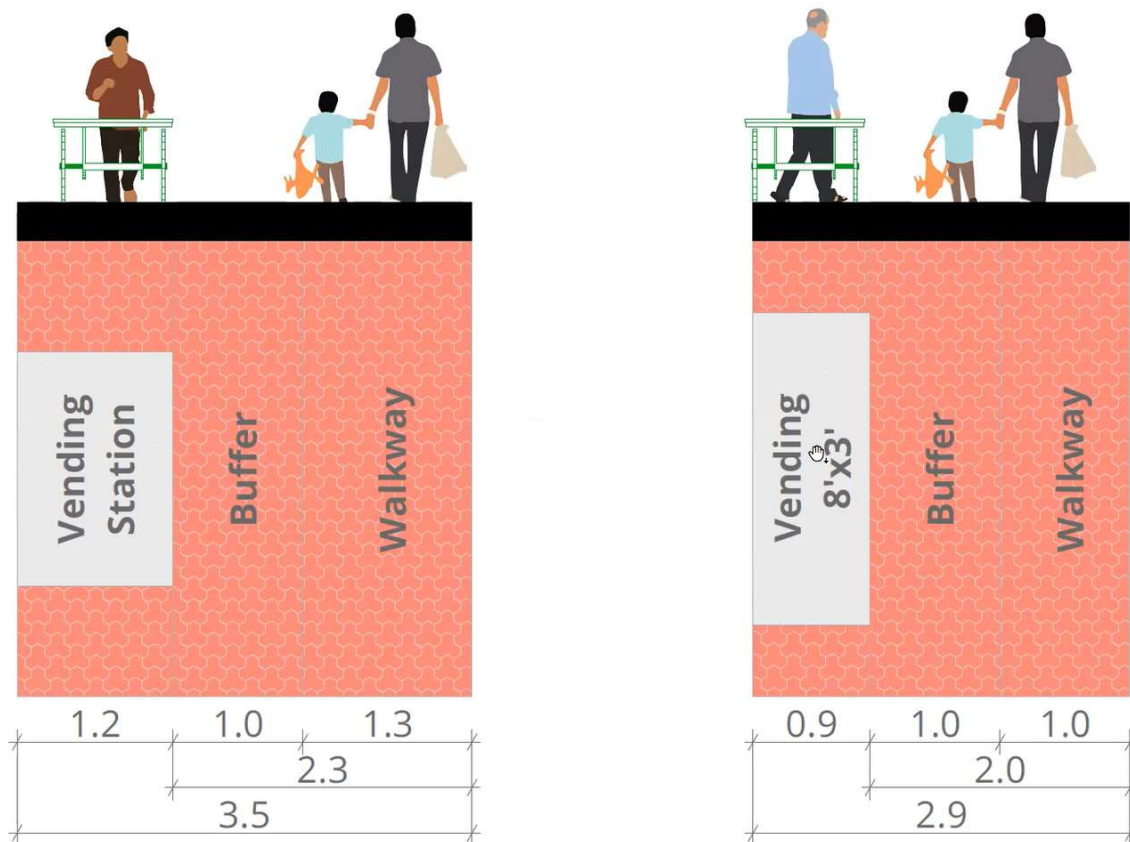
Gunragh Talwar, Architect and Consultant for Preparing Vending Zone Plans for North Delhi

- Ensuring that all existing street vendors are identified in surveys, subject to a norm conforming to 2.5% of the population of the ward, zone town, or city (as case may be), accommodated in the plan for street vending.
- Ensuring the right of commuters to move freely and use of roads, without any impediment.
- Ensuring that provision of vending spaces or areas for street vending is reasonable and consistent with existing street markets, as well as taking into account civic facilities for appropriate use of identified spaces or areas as vending zones.

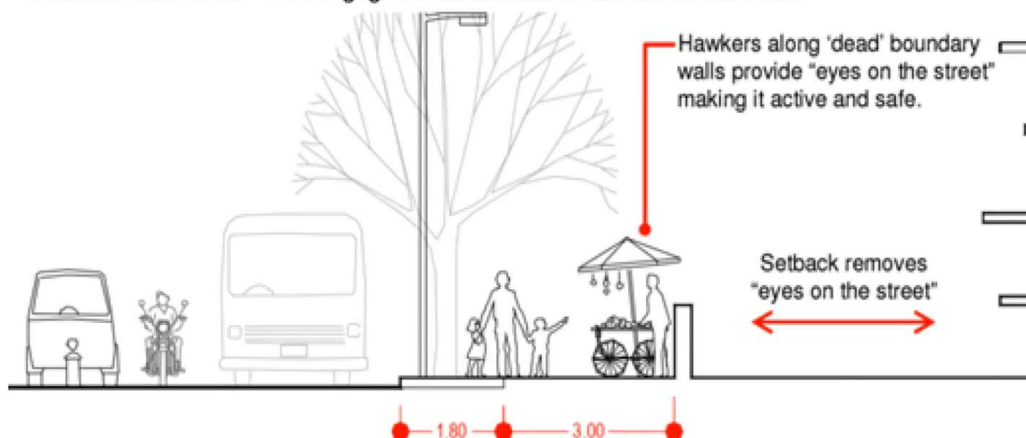
d. Making spatial plans conducive and adequate for prevalent number of

street vendors in that particular city or town, considering future growth.





Hawkers or "micro-entrepreneurs" provide a wide variety of services and amenities to people, at convenient locations – with negligible investment and infrastructural costs.



Source: UTTIPEC Street Design Guidelines

Dr. Abhijeet Lokre, Urban Lab

He is an architect and transport planner involved in designing vending zones and streets in various cities, including Bhuj.

From the speaker's past experiences in developing vending plans, he stressed that there are always conflicts for space between traffic and hawkers, and tensions on who gets access to majority of the share. One needs to understand that the streets are not for cars alone, but also for people to walk, hawkers, and the infrastructure that lies beneath. All of these need to be accommodated in our streets. Hence, street design needs to focus on resolving these contestations.

The solution seems easy, yet complicated; easy because it is just a matter of reorganization, but complicated because the stakeholders will not agree to stay in their allocated places. If any street is to be planned, the first thing is to understand how these streets are used by different stakeholders and study these streets at different times of the day.

As Abhijeet has been working on the vending plan of Bhuj, he walked the audience through the overall process through drawings and images. He explained that mapping of activities is a requisite and understanding the fact that though it is a vending plan, the plan should give equal importance to all stakeholders; only then the plan will work. He further stressed that the architects should not work individually or in isolation, but should interact with the vendors; only then they

will understand the real problem. Design is not only when one draws something on the paper, but also accounts for basic amenities which the people are deprived of. Illustrating an example of vendors having issues due to lack of toilets, he elaborated how the problem is not just about placing a toilet somewhere, but understanding that people also need clean toilets. Therefore, the final plan also needs to address issues of management and all stakeholders need to own take responsibility for that.

Adrian Dçruz, IGSSS

The speaker is from IGSSS, where he is presently working in planning of vending zones in different cities.

In the past, Adrian and his team have worked in two cities: Aurangabad and Guntur (Maharashtra). The struggle in these cities was to make the local authorities understand that vendors are not encroachers, which was proved through research, showing practical examples, numbers, etc.: *"We never told the TVC members to leave a 6' x 4' or 8' x 3' place for one vendor, but we sensitized them to understand that this is an average size. As suggested in the guidelines, first research is to be undertaken to see which kind of vendors sit in the place and what kind of things they sell."*

Civic facilities must be available in the vending zones for appropriate use as per the needs of public and vendors, including toilet, water, solid waste management system, dustbins, storage

boxes, etc. He gave an example of Guntur, where there were lot of vendors who sold coconut water and threw the coconut waste, they had made a waste bin with barbed wire. Accordingly, the observation as per these practices was that if vendors are given security of a place, and the municipal body does not evict them, then they would themselves manage waste and other problems.

As there were many TVC members at the convention, it was important for him to make them understand what aspects would be included in any vending plan. These included points such as:

- Marking lines for the hawker zone.
- Space plans for existing street vendors, and also for future growth.
- Changes included in the existing master plan, development plan, zonal plan, layout plan, and any other plans.
- Points to be discussed to declare an area as no-vending zone.

In Guntur, the municipality had an issue with vendors sitting on the road, thereby creating hindrance for passersby. When IGSSS went to the site and saw that the vendors were located near open drains and garbage areas (behind them), they got the municipal corporation to cover the drains so that the vendors could occupy that space, hence freeing up the roads. Therefore, sometimes it is not merely about drawing up plans, but it is also about going and explaining simple situations. The municipal corporation had to be convinced to survey all 14,000 vendors, certify them and then make a plan to accommodate all such vendors. Lastly, he gave the example

of Kolkata, wherein they did not need to hire an architect or planner, but rather they worked in discipline of allocating 1/3rd of the hawking space and 2/3rd for the footpath.

Sandeep Verma, National Convenor & Youth Convenor, NHF

Taking forward the case of Kolkata, the speaker talked about the 1/3rd and 2/3rd division of the pedestrian paths, and informed that it was given by Shaktiman Dada to the architect/planner. As per the rules, 6' x 4' is supposed to be the space allocated to hawkers, but officials brought forward the issue that people would have less space to walk. Therefore, they negotiated it to 8' x 3' demonstrating that it is important to keep decisions flexible ensuring then that the hawkers are not blamed. According to the speaker, hawkers are very good space managers and are also able to operate out in spaces of 1' x 1'. Having said that, he pointed out that all the hawkers need to understand that they also need to think of plans and ideas for their city.

Moving forward, the speaker brought forward the case of Delhi, wherein the Delhi High Court asked them to prepare plans according to their zones. However, the submission was not accepted. They identified a place in Delhi which was used for parking, but they did not allow them to use it even after they tried to organize it in a way that minimum eviction was required. Highlighting that the land was worth 300 crores, and was sold to

The areas already having vendors were allocated as the vending zone, while other roads including VIP Roads were no vending zones. When the plan was being made, they gave 150 roads for consideration, but only 39 places were finalized. Apart from these 39 places, including Chandni Chowk, all other roads were no vending zones.

He asked everyone to fight and make the authorities understand in the court that if they are calling hawkers as authorized encroachers; then they are worse than the British: *"They call us encroachers but, if you see, 80% of the land that the government has is taken from the people without giving them any share and, in some cases, the court might not even be able to give documents of the land. Instead, they are the encroachers who have taken our lands. A citizen has the right to live and he just cannot survive on water and air for his livelihood, he will need to do business for livelihood."*

Giving the example of farmers' protest held in national capital recently last year, he said that until and unless the

Role of Judiciary, Court Cases, Judicial Atrocity, Combat Plan

**Kamlesh K. Mishra, Advocate, Delhi
High Court**

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basic facilities, especially related to sanitation and maternity.

Amrita Thakur, Jagori

This was the first gender sensitization workshop of this meeting. This was an interactive session between the audience and the speaker, wherein she started by asking very basic questions, helping them build an understanding on following:

- What is the meaning of Patriarchy?
- What is Feminism?
- What is the difference between Men and Women? Man, and Animal?
- What is a Gender Inequality?

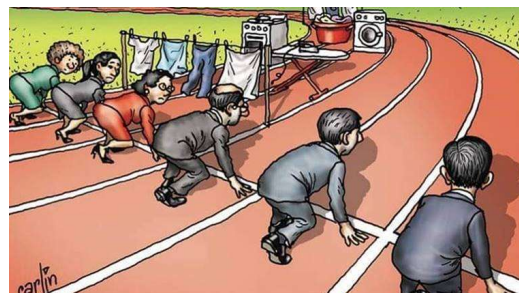
Moving ahead, she explained the word '*Pitra Satta*' by breaking it down – father and authority or power. This helped the audience build their understanding of the word in a more accessible way. She explained to them by saying that patriarchy is not something that we are born with in our minds or is a part of society, but rather is a philosophy. In process of the discussion, she made it clear to all men that she is not targeting them; patriarchy is a form of thinking that gives men a superiority, while women are considered secondary.

Patriarchy is something that not just women are prey of, but even men are. She said that even men can be feminists and, in some cases, women are not. For example, we also fail to see the problems which men face, for example that they cannot cry. In some cases, they are not able

to earn money for themselves, since they need to be in charge of the house.

This was an interesting session, as everyone was able to gain new perspectives on this very pertinent topic. She, later on, addressed the men by motivating them that they should encourage women to work and help them out with domestic chores as these are not gender designated duties, but rather life skills that everyone should know. Duties that have been performed by women for years, should not be looked down upon. Rather, it takes a lot of strength for women to take responsibility of domestic and professional work together.

She asked the audience why they were suddenly talking about gender and women vendors, as well as the injustices they face or biased behaviors they deal with. She explained that whenever in Indian society men and women work together, there will be issues of gender since both compete for equal opportunities and rights. However, it is important to understand that giving equal opportunities is absolutely necessary, since until and unless an organization does not share equality for both genders, the organization will not function to its fullest. There needs to be balance.



She showed everyone an image and asked few men in the audience to describe it. The observations were that how in a race, there were no household responsibilities for men; on the contrary, women have a lot of other work to do. Similarly, she put forward to the audience many issues women vendors face on-ground:

- Women are not as physically strong as men; they sell small items, which they can carry easily.
- They face more acute sanitation issues.
- Children are always women's responsibility.

- They need to stop their work early as there are no proper street lights for them to return home in dark.
- They cannot invest much time or dedicate more time in their work because responsibilities of household work are typically not shared by men in the Indian society.
- They are unaware of new laws and schemes introduced by the government for their benefit.
- They are not able to express their issues confidently, in front of people.

She asked the women vendors to reflect on these topics and educate their next generation, accordingly.

The three-day convention concluded with eight points declaration by Aseem Mishra, Director, Homes in the City Programme. These declarations were derived based on the in-depth discussions held. It was decided that NHF and all the participating/involved organizations and individuals would work on these declarations to make street vending inclusive in Indian cities.

NARAYAN SAROVAR DECLARATION, MARCH 2022

1. Implement the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 in its true spirit.
2. Reserve 2.5% of the total land for street vending in Master Plans/Development Plans/Zonal Plans/Town Planning (TP) Schemes.
3. No eviction until every vendor is registered and a certificate of vending is issued to them.
4. Identify and restore all-natural markets.
5. Constitute central and state-level monitoring committees to ensure proper implementation of the Street Vendors Act, 2014.
6. Comprehensive scheme for social security – health, education, pension, etc. – of street vendors.
7. Empowered and informed Town Vending Committees (TVCs).
8. Legislate and implement legal safeguards that protect street vendors from online marketing.

ANNEXURE

National Level Meeting at Narayan Sarovar, Kutch Gujarat 11th March 2022 to 13th March 2022

11th March 2022		
Breakfast at 8:00 am		
S. No.	Session & Time	Speakers
Welcome & Registration of all the Delegation at 8:30 am		
Introduction & Discussion among the Delegation at 9:00 am to 9:30 am		
1.	Inaugural Session 9:30 am to 11:00 am	<ul style="list-style-type: none"> • Collin Gonsalves (virtual), <i>Senior Advocate, Supreme Court, President NHF.</i> • Mir Inayath Ali Baqri, <i>Working President, NHF</i> • Shaktiman Ghosh, <i>General Secretary, NHF</i> • Jayanta Das, <i>Additional General Secretary, NHF</i> • Jammu Anand, <i>Vice – President, NHF</i> • Anita Das, <i>Additional General Secretary, NHF & General Secretary, All India Women Hawker Federation</i> • Vinita Balekundre, <i>National Secretary, NHF & General Secretary, Maharashtra Hawker Federation</i> • Sandeep Verma, <i>National Convenor, Youth Convenor, NHF Delhi</i> <p>Moderator: Aseem Mishra</p>
2.	Climate Change & Our Collective Responses 11:00 am to 12:30 pm	<ul style="list-style-type: none"> • R. Shreedhar (Virtual), • Sandeep Minhas, • Ashwin Parthasarathy <p><i>Environics Trust</i> Moderator: Jayanta Das</p>
Tea Break		
3.	International Financial Institutions & Unorganized Sector Worker's Rights 12:30 pm to 2:00 pm	<ul style="list-style-type: none"> • Sonal Raghuvanshi, <i>Researcher - Centre for Financial Accountability</i> • Anuradha Munshi (Virtual), <i>Team Lead, Centre for Financial Accountability</i> • Akriti Bhatia, <i>PAIGAM</i> • Joe Athialy (Virtual), <i>Director, Centre for Financial Accountability</i>

		Moderator: Jammu Anand
Lunch Break for 45 Minutes		
4.	Revolution against Plastic Pollution; India must Sign Plastic Treaty Now; PM – SVANIDHI, eShram Card & others 2:45 pm to 4:00pm	<ul style="list-style-type: none">Satyrupa Shekhar (Virtual), #breakfreefromplasticAshi Dutta, Research Asst. - Centre for Financial Accountability Moderator: Jayanta Das
Tea Break		
5.	Right to City Inclusive Development, Urban Space, Reserved Space of 2.5% for Hawkers, Master Plan 4:00 pm to 5:00 pm	<ul style="list-style-type: none">Arvind Unni, IGSSSShalaka (V), YuvaAkriti Bhatia (V), PAIGAM Moderator: Saktiman Ghosh
Free time to Roam Narayan Sarovar & Sea Beach		
6.	Visit to Sunset Point & Koteswar Temple. 6:00 pm to 8:00 pm Dinner at 8.30 pm to 9.30 pm	
7.	Cultural Activity by the Delegation If they wish to...	
12th March 2022		
Breakfast at 8:00 am		
S. No.	Session & Time	Speakers
1.	Vending Plan, Principles of Vending Zone, No-Vending Zone 9:00 am to 10:30 am	<ul style="list-style-type: none">Shaktiman Ghosh, General Secretary, NHFGunrag Talwar, Architect, Vending Plan for Ward 84, Chandni ChowkArvind Unni, Dr. Abhijit Lokre, Ar. Kruti Shah & Sandeep Verma Moderator: Adrian D’Cruz
2.	Upliftment of Street Vendors through Urban Livelihood Mission, PM-SVANIDHI & eShram Card etc. 10:30 am to 11:30 pm	<ul style="list-style-type: none">Sanjeev Vijaywargiy, Deputy Mayor, Ranchi Municipal Corporation. Jharkhand.Debashish Kumar, MIC, Mayor in Council – Hawker Rehabilitation
Tea Break		
3.	Role of Judiciary Court Cases, Judicial Atrocity, Combat Plan 12:00 pm to 1:30 pm	<ul style="list-style-type: none">Collin Gonsalves, HRLNKamlesh Kr. Mishra, Adv. Delhi High Court, Vice President, NHFPragya Dubey, Adv. Delhi High CourtNitin Nayak, Adv. Delhi High CourtChandna Debnath, Adv. Delhi High Court

		<ul style="list-style-type: none">Sandeep Verma
Lunch Break for 45 Minutes		
4.	Implementation of the Act TVC - Roles & Responsibility, Problems & Solutions, Best Practices & Social Audit 2:15 pm to 4:30pm	<ul style="list-style-type: none">Saktiman Ghosh, Jammu Anand & Sandeep Verma, Arvind Unni, Jayanta Das & Aditya SinghNHF Moderator: Ali Baqri
5.	Women Issues & Gender Justice Issues, Empowerment, Justice 4:00 pm to 5:00 pm	<ul style="list-style-type: none">Anita Das, Vinita Balkundre, &Amrita Thakur, Jagori Foundation, NHF Moderator: Prachi Patel, HIC
Free time to Roam Narayan Sarovar & Sea Beach		
6.	Summary & Outcomes of the Day 7:30 pm to 8:00 pm	
7.	Musical Event by Local Artist from Kutch. 6:30 pm to 8:30 pm Dinner at 8.30 pm to 9.30 pm	
13th March 2022		
1.	Breakfast at 8:00 am	
2.	Organization Building, Structure, Planning etc. Session Start at 9:00 am till the Evening with Lunch Break at 2:00 pm National Hawker Federation Presided by Ali Baqri, Speakers: Shaktiman Ghosh& all other National leaders	
3.	Concluding Note, Vote of Thanks	
