

Study of Policies, Implementation Levels and Findings on Street Vendors and Hawkers in Delhi

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Abstract—Large sections of unemployed and under employed population in rural areas and small towns look forward to the metropolitan cities like Delhi for employment and enter the city to move up the economy ladder. This results in small enterprises and petty trading activities in the informal sector. Thus a metropolis like Delhi has an organized wage paid sector and an equally large informal sector. This sector with highly reduced needs of floor space and investment is a source of employment and services in the economic fabric of city. Another reason for emergence of street hawking is the inability of the formal trade and commerce sector to absorb the entire labor force especially the economically weaker sections of the society.

1. INTRODUCTION

1.1 What is Hawking

Hawking is age old phenomenon associated with inhabited areas—both rural and urban. Incidence of hawking in developing countries like India is directly related to urbanization. A large majority of the population who belong to low income categories provide a ready markets for the goods and services provided by the hawkers.

1.2 Emergence

New migrants unable to absorb themselves in formal employment resort to hawking since entry is easy and largely unrestricted. Many times few of the established resident population may also resort to hawking to increase income. Hawking relates to selling of certain types of goods and services from Stationery, semi-stationery and mobile establishments. Hawkers settle within the right of ways of streets either along the edge of the carriageway or on the footpath, within pedestrian plazas or corridors in formal commercial shopping centers, within recreational open spaces, no specific place and Weekly markets.

1.3 Definition as NPSUV

A street vendor is broadly defined as a person who offers goods or services for sale to public without having a permanent built up structure but with a temporary static

structure or mobile stall or head load. Street vendors may be stationary by occupying space on the pavements or other public/ private areas or may be mobile in the sense that they may move from place to place carrying their wares on pushcarts or in cycles or baskets on their heads or may sell their wares in moving bus etc. The term urban vendor is inclusive of both traders and service providers, stationary as well as mobile vendors and incorporates all other local / region specific terms used to describe them, such as, hawker, pherwalla, rehri patri walla, footpath dukandars, sidewalk traders, etc.’

(Source: Government of India, 2002:2)

Street vendor- A person who offers goods or services for sale to the public without having a permanent built up structure but with a temporary static structure or mobile stall (or headload). (Source: Master Plan of Delhi, Perspective 2021)

‘Hawker, peddler, street vendor, pheri-walla sell articles of daily utility and general merchandise such as vegetables, sweets, cloth, utensils and toys, on footpaths or by going from door to door purchase goods from wholesale market according to his needs and capital (money) available. Loads them in a basket or a pushcart, wheelbarrow or tricycle and moves in selected area to effect sales. Announces loudly goods or articles on sale and their prices to attract customers. Attends to customers and effects sale by measuring, weighing or counting as necessary. May also display goods on footpath and effect sales. May prepare and sell own goods and may operate means of conveyance. May work on salary or commission basis or both.’ (Source: Ministry of Labour, Government of India, National Classification of Occupation, 1968(431.10).

Hence hawking can be defined as the activity by virtue of which, a person sells goods, either by moving place to place, or at a fixed location by occupying land meant for public purpose, without any permanent built-up structure. This sector must enjoy an utmost importance since it is providing employment to a large number of people. The unskilled and the semiskilled unemployed of the organized sector earn their

bread though with lower and unrecognized productivity. This sector can't be left behind as a large number of people mostly belonging to the economically weaker sections and lower income group of society work. This makes imperative to integrate this sector in the larger process of physical planning. 'Street vending as a necessity has been in existence in India since time immemorial. However, their number has increase manifold in the recent years. Some studies estimate that street vendors constitute approximately 2% of the population of a metropolis. The total number of street vendors in the country is estimated at around 1 crore.(Source: National Policy for Urban Street Vendors,2002)

Broad classification includes:

Pavement settlements: These are stationary vendors who sell goods on kiosks, wooden planks on pavements.

Peddler Hawkers: Peddlers or pheriwallahs are mobile vendors who sell goods visiting door to door at residential areas or roaming on market areas or inside buses and trains.

Squatter Settlements: These are stationary but temporary settlements on roadside such as cobblers, barber, chabiwallah, tea seller etc.

Whether stationary or mobile, hawkers often advertise by loud street cries or chants or by use of music, and conduct banter with customers, so to attract attention and enhance sales

2. INTRODUCTION TO HAWKING SECTOR:

Informal sector is the nonstructured sector that has emerged in the urban centres as a result of the incapacity of the modern sector to absorb new entrants,(source: ILO and UNDP, 1972).

Informal sector consists of very small units producing a variety of goods and services by independent or self-employed enterprenearurs sometimers using family labor or few hired laborers. The range of services include manufacturing, repair services, construction trade transport and restaurants.

2.1 Characteristics of informal sector

A common characteristic of informal sector has been their unregisterted, unregulated and often conceived as illegal nature.They are beyond any social protection or any labor law. These units are easy to establish in comparison to formal shop establishments since they require low capital and are known to be using crude technologies and skills. Their turnover is low, leading to low productivity and thus meager income

Informal employment in selected cities, 1990

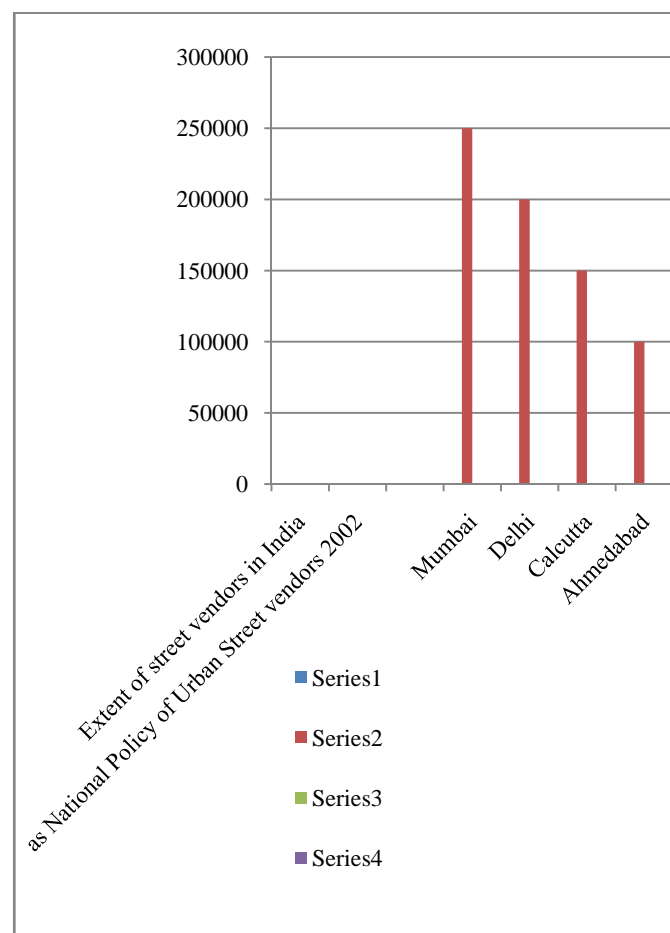
Country	City	Informal employment
Mali	Bamako	83.4
Nigeria	Lagos	69.0
India	Indian cities	65.0
Peru	Lima	48.0
Columbia	Bogota	50.0
Chile	Santiago	22.0

(Source:Role of Hawkers in the urban informal sector and internalizing hawking activities and spaces in city planning processes, Ministry of of Urban Development and Poverty Alleviation, Government of India: 13)

This clearly shows the significance of informal sector in urban city economy in developing countries.

2.2 Growth of Hawking activity in India

The extent of street vendors in India has been provide by the National Policy of Urban Street Vendors, 2002,which states that Mumbai has the largest number of urban street vendors numbering around 2,50,000,while Delhi has around 2,00,000.Calcutta has more than 1,50,000 street vendors and Ahemdabad has around 1,00,000.The total number of street vendors in the country is estimated at around 1 crore.



Hawking in Delhi

As per MPD Survey:

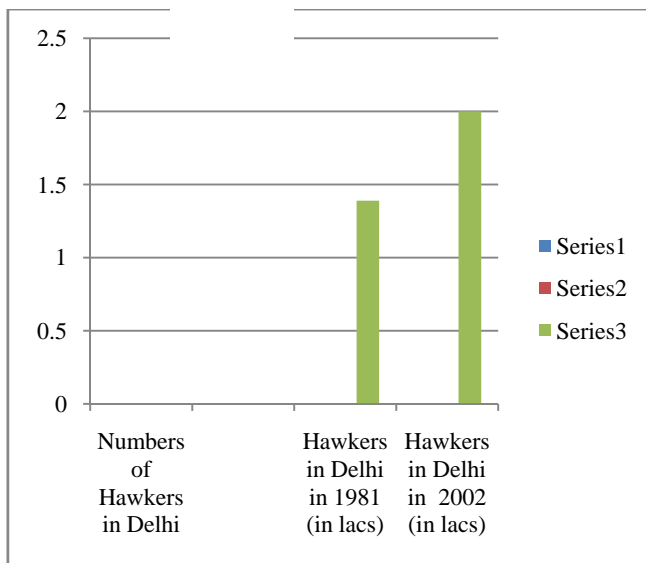
MPD 1962	Workforce in Formal sector	Workforce engaged in Informal activity
1962	39%	61%
1991	30%	70%

As per the National Policy for Street Vendors, nearly 2.5% of urban population is involved in street vending and hawking. This means this occupation provides livelihood to nearly one crore persons in India. With an average of four dependents per vendor, the survival of five crore people is dependent on street trading. Calculated at an average daily turnover of Rs 1100 per day per vendor, the total turnover of one crore street vendors in India would be a whopping Rs 1100 crores per day (Source: The hardships of vendors in New Delhi - India Together-Manushi)

Number of Hawkers in Delhi (as per NPUSV 2002)

Hawkers in Delhi in 1981 (in lacs)

Hawkers in Delhi in 2002 (in lacs)



3. IMPORTANCE AND IMPACTS OF STREET VENDORS

3.1 Positive impacts

Place in the society: A Street vendor serves as a vital link between customers and wholesalers. They transport items and reach it to customers. The street vendors have an important social status since they are providing employment to a large number of people belonging to the informal sector. The unskilled and semi skilled workers unable to establish themselves in organized sector earn their daily livelihood by opening small independent business, thus becoming self sufficient.

They have low margin of profit and unrecognized Productivity

Contribution of street vendors

a) Apart from generating their own employment, vendors help generate employment in the farm sector by distributing fruits, vegetables and spices from wholesale mandis to every nook and corner of the city with remarkable speed and efficiency.

b) They support many small-scale industries by acting as the most efficient, low cost distribution channel for their low priced goods in every part of the country.

c) By distributing items of daily consumption at relatively low prices for all classes of consumers at convenient locations, hawkers save urban citizens a great deal of time, energy and money in procuring daily requirements.

d) If there are no vendors, road congestion and pollution due to vehicular traffic will increase manifold since people will have to drive or travel long distances to far away markets and mandis or malls to buy daily necessities. That will mean enormous waste of time, money and petrol and cause even more vehicular chaos on our streets.

e) Vendors consume very little electricity in comparison to department stores and cold chains that guzzle a lot of power to prevent food items from rotting.

f) The presence of street vendors brings greater security and safety in urban areas. Places where streets are alive and busy till late hours, such as Delhi's Jama Masjid and Chandni Chowk are far safer than deserted colonies like Vasant Kunj or Nizamuddin East. In the latter type of colonies residents have to organize elaborate private security arrangements to keep criminals at bay whereas people in areas where shops and vending stalls stay open till late have no such requirement or fear.

(Source: The hardships of vendors in New Delhi - India Together-Manushi)

Customer Demand: The street vendors provide daily necessities to customers within easy reach. Millions of middle and lower middle income urban dwellers are dependent on street vendors. They buy easily available cheap items which is affordable and within their budget. This functions effectively as they do not have to travel to shops thus saving time and money. 30% of the population of Mumbai depend on street vendors for 1 whole meal per day.

Street Character: The street character is enhanced by vending activity. The quality of space may entirely change without the the presence of vendors. In metropolitan cities of India, the local authority of an area has made special hawking zones to encourage hawking. A study states that street vendors near housing complexes reduces pollution levels as residents do not need to use cars to buy their daily necessities.

Social aspect: Street vendors are service providers. Their presence makes streets relatively crime free and safer for women, children and elderly

3.2 Negative impacts

Encroachment: Roads are spontaneous commercially active spaces. The existence of the vendors in urban streets affects the elements of the urban physical form. Almost all cities have police and municipal laws that help to protect public spaces

and allow free flow of traffic on the roads. Hawkers become the victims of these laws because they are viewed as encroachers.

Beautification: Public spaces are a city's image. To maintain streets, pavement, trees and parks is a social responsibility. Street vendors, peddlers and pavement sellers sit on squatters along the pavement of the footpath trotters. Over crowdedness and congestion due to reduced right of way cause impatience among the users..

Need for Organizing Street vendors: People entering the informal sector of economy are basically due to easy entry (no formal skills required),high degree of resourcefulness, family ownership of enterprise and unregulated competitive market

4. PROBLEMS FACED BY HAWKERS AND SOCIETY

4.1 Problems faced by Hawkers

The municipal laws based on the 19th century British practice, are outdated and detrimental to the peaceful conduct of business of vendors.

Street vendors face frequent raids by local musclemen and constable. Their goods get confiscated under different challans.This leads to demoralization, loss of capita, savings and time. Constant threat and warning makes the business of hawkers worse. Sometimes an extortion racket also involves the local goons and dadas. Cases of 'rangdari tax' and 'hafta' are common. In many cities vendors have to part with substantial money in order to ply their trade.

In addition to that street vendors do not have a fixed source of income which may be due to loss of market, seasonal variation, competitive pressures and also loss of time to devote to work. The profit margins are low as they cater to the urban poor and the middle class.

4.2 Problems faced by Society

The Encroachment of footpath obstruct the free passage of pedestrians, especially children, the elderly and people with disabilities etc, & be located on footpaths wide enough to accommodate vending as well as free movement of pedestrians during peak periods.

Vending stalls obstruct the route of a moving vehicles, and are in conflict with slow moving vehicles or parked vehicles (e.g. along a wide shoulder in a road), along a road. This leads to reduced right of way. Vehicle stop zone get created in addition to parking if any on existing roads.

The movement of traffic gets affected which leads to chaos and congestion on roads and loss of time. The increased and additional function of vending on existing narrow streets makes it more accident prone.

Improper hygiene in terms of disposal of waste leads to insanitary conditions Improper hygiene in terms of disposal of waste leads to insanitary conditions

5. HAWKING IN DELHI

Hawker concentration is found high in Commercial centers like Connaught Place, Lajpat Nagar, as well as in low income areas, like North-West Delhi (Rohini, Pitam Pura, Mongol Puri, Shakur Pur etc), West Delhi, and Trans-Yamuna areas like Shandara, Shakkar Pur, Patpar Ganj, Lakshmi Nagar, Azad Nagar, Nagar, and Kalyan Puri etc.

Hawkers in a metropolis like Delhi with a population of 2-3 lacs need a planned initiative, to be provided with sufficient spaces on ground, to sustain their ever increasing population, and the demand of their goods. Thus a comprehensive framework of policy initiatives is required to be made, to legally support hawking on ground. Delhi has had provisions for the hawking sector, in its master plans, as well as the Street Vendors (Protection of Livelihood and Regulation of Street

Vending) Bill, 2014 Passed by Rajya Sabha, by Government of India, Ministry of Housing and Urban Poverty Alleviation and Lok Sabha (passed the Bill on 6th September, 2013)

5.1 Tehbazari licensing mechanism

Tehbazari has been used as one of the policy instruments to regulate and control hawking activity in Delhi. It is a license for carrying on business on the streets within municipal areas of the city.

The basic principle underlying the grant of Tehbazari is to allow hawkers to earn their livelihood in a particular manner so that certain goods are available at competitive prices to consumers at places near their residence. Tehbazari earns its legitimacy from section 321 of the MCD Act, 1957. (Source: Jain Dikshit, 'Evaluation of hawking activity in planned commercial centers', 2003, pg 1-25).

The Tehbazari policy practiced by M.C.D or N.D.M.C is just a licensing policy, aimed at providing a temporary space to vendors to operate. It does not account for permanent spatial locations for the hawkers, and thus make them easy prey to eviction drives. This policy might even violate master plan norms, which state only a fixed no of hawkers along all planned developments, while Tehbazari, allows hawkers to operate anywhere and everywhere without any limit to their number or space acquired, or location, violating both the master plans as well as the national policy. It does not provide spatial allocations to hawkers, in different areas and zones, like the Delhi master plans. More so the implementing procedure for Tehbazari is complex and the existing rates are also low. As a result majority of hawkers are not covered under this policy

5.2 Master Plan of Delhi, Perspective 2021

The Master plan for Delhi, Perspective 2001&21, is perhaps the first and foremost examples of including informal sector in planned development, under a statutory framework. Approved by the parliament in 1990, the master plan provides details about the number of informal sector units to be incorporated in Delhi, against all categories of planned development.

Context of hawking

The plan document identified the employment avenues in informal sector, its low needs for equipments, space and building requirements, and importance of weekly markets.

Norms and Standards

Plan proposes to incorporate the informal sector trade in the planned development of various use zones. The informal sector is to be incorporated in trade in the planned development in various trade units should be ensured at the time of sanction of the building plans / layout plans as per the norms

Table 5.3: Planning Norms

S.No.	Use Zones / Use premise	No. of Informal shops / Units
i)	Retail trade: Metropolitan City Centre, District Centre, Community Centre, Convenience Shopping Centre,	3 to 4 units per 10 formal shops (to be provided in informal bazaar / service market components)
ii)	Government and Commercial Offices	5 to 6 units per 1000 employees
iii)	Wholesale trade and Freight Complexes	3 to 4 units per 10 formal shops
iv)	Hospital	3 to 4 units per 100 beds

S.No.	Use Zones / Use premise	No. of Informal shops / Units
v)	Bus Terminal	1 unit for two bus bay
vi)	Schools Primary Secondary / Senior Secondary / Integrated	3 to 4 units 5 to 6 units
vii)	Parks District Parks Neighbourhood parks	8 to 10 units at each major entry 2 to 3 units
viii)	Residential	1 unit / 1000 population
ix)	Industrial	5 to 6 units per 1000 employees
x)	Railways Terminus / MRTS Stations	To be based on surveys at the time of preparation of the project.

Source: Master Plan of Delhi, Perspective 2001:21

Location of hawkers

The plan identifies that hawkers tend to locate near work centers, commercial areas, outside the boundaries of schools, colleges, hospitals and transport nodes and near large housing clusters

Implementation mechanism

The areas of informal sector should have suitable public conveniences and solid waste disposal arrangements.

Provision for informal sector trade to be ensured at the time of sanction of building/ layout plans. The hawking provisions in the Master Plan of Delhi were implemented, many organized hawking units would have been provided. But not many organized informal sector units are seen anywhere in the city till date. Obviously norms as stated in the Master Plan have not been implemented on ground. One reason is that while the Master Plan for Delhi has made provisions for hawking by stating norms as to how many hawking units need to be provided in different land use areas, it has not elaborated on any mechanism as to how these norms are to be incorporated in the detailed layout Plans. Though it is stated in the plan that at the time of sanction of building lay out plans, provisions for informal sector trade units should be ensured, the Delhi Development Authority has itself not ensured incorporation of these provisions in the layout plans of the areas that were developed by the Authority.

5.3 National policy for urban street vendors

The Ministry of Urban Development and Poverty Alleviation, Government of India formulated this Policy passed by Rajya Sabha, 2014. It aims to ensure that urban street vendors find recognition for their contribution to society and economy and is supportive of their livelihood.

Context of hawking- The policy seeks to provide a supportive environment for earning livelihoods to the street vendors, as well as ensure absence of congestion and maintenance of hygiene in public spaces and streets..

As per the policy, the country has about 1 crore hawkers, of which 2 lac are present in Delhi.

The policy seeks civic authorities to provide qualitative guidelines at vendors' markets, like,

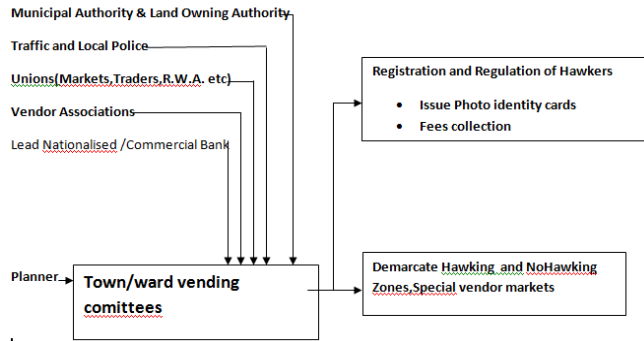
1. Provide provisions for solid waste disposal & public toilets to maintain cleanliness.
2. Aesthetic design of mobile stalls/ push carts with protective covers.
3. Provision for electricity, drinking water, and storage facilities etc
4. Access to credit & insurance by banks and self-help groups

The policy also demands self-regulation from hawkers for hygiene & quality control and is against forceful eviction of hawkers and demands amendments in police acts and Indian penal code.

Implementation mechanism for hawking provisions

The policy provides an efficient and participatory implementation mechanism, for hawking policies and spaces on ground by setting up a town /ward vending committee, to formulate quantitative & qualitative guidelines for hawking and no-hawking zones, comprising of all stakeholder groups,

related to hawking, including participation from trade unions, hawker unions, local traffic police, municipalities, local bodies and also including planners. The policy also ensures a one-third representation of women. (Source: GOI, 2004, National policy for urban street vendors, GOI, New Delhi)



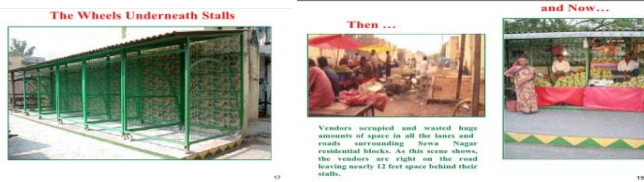
6. PROJECT INITIATIVES FOR HAWKING SPACES

6.1 Delhi & Kanpur

Model market in Sewa Nagar

Manushi, a non-voluntary organization, had selected two hawker markets in Delhi. which it intended to develop and improve as model markets, exclusively for hawkers.

(Source: Primary survey, 2006, Sewa Nagar)



India, a design strategy for street vendors in Kanpur, 2nd of April 2011



7. CONCLUSION AND CASE STUDY FINDINGS

1. Delhi master plan, perspective 2021 provide planning norms for accommodating hawking in various use zones of Delhi. But the IMPLEMENTATION mechanism and a disposal procedure for these norms are unclear. Delhi master plan, norms for hawking activity, have not been much mplemented anywhere in Delhi.2. Courts are unaware over the existence of plan norms, which has resulted into no judicial enforcement of these norms, on the municipalities as yet.

3. National policy on urban street vendors, 2014, provides a participatory implementation mechanism, which involves a say of all stakeholders in hawking issue like pedestrians, traders, officials and hawking groups as well, unlike any other previous document. D.D.A and M.C.D have adopted national policy on urban street vendors, 2014, but it is still to be implemented on ground as yet, while N.D.M.C has failed to adopt national policy as yet, and has not issued any public notice inviting participation in town /ward vending committees.
4. Tehbazari licensing policy followed by municipalities to give licenses to hawkers, has not allotted adequate licenses to all, and has promoted the rise of illegal channels like bribes and extortion from hawkers, by police and municipal officials. Tehbazari licensing is the only mechanism for hawking allocation, which has been implemented in Delhi, with limited success
5. Supreme court and lower order courts have held hawking as a fundamental right subject to reasonable restrictions by civic agencies.
6. But the courts have also held hawking as a nuisance to public life, and directed authorities to frame hawking and no-hawking zones in Delhi.

MCD committees have not distributed adequate licenses to all hawkers despite their willingness to pay. This has led to a conflict which discriminates against hawkers with no Tehbazari licenses, and leads to the rise of illegal channels like bribes and extortion by police. The hawkers pay informally to Police either in form of goods or wares sold or some bribe. Despite statutory provisions in the Delhi master plan, 2001 for hawking activity, hawkers without license are facing a continuous threat of forceful eviction, due to lack of implementation of the plan. Majority of the vendors are not aware of the National Policy of Street vendors.

There is an absence of adequate on-site infrastructure.

REFERENCES

- [1] Consultant-Mr. J. H.Ansari, Mr Ashok Kumar and Ms Poonam Prakash,SPA New Delhi, Study of Hawkers in Delhi
- [2] Joshi Abhinav, Hawking Provision in Central Business District, Case Study: Connaught Place, May 2006
- [3] Delhi Development Authority, MPD 2021, New Delhi
- [4] Government of India (2014) National Policy for Urban Street Vendors, Government of India, New Delhi.
- [5] Street Vendors Bill 2012
- [6] <http://weigo.org>
- [7] <http://www.manushi.in>
- [8] <http://www.nasvnet.org>
- [9] School of Management and Labour Studies, Tata Institute of Social sciences, Mumbai.
- [10] <http://www.slideshare.net/deborahlambert/india-a-design-strategy-for-street-vendors-in-kanpur-2nd-april-2011>
- [11] <http://ndmc.gov.in>