

## REHABILITATION OF URBAN WOMEN STREET VENDORS AND HAWKERS

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***Abstract:** Urbanization is critical to the development of country. Cities have evolved as engines of growth and development. They are generating majority of the wealth of the country. The urban employment is becoming informal as informal economy contributes significantly in the economic growth and development of the country. Street vending is global phenomena and is rapidly increasing in Asian countries due to globalization and economic liberalization as the new policy regime has drastically affected the employment in organized and particularly in manufacturing sectors. In India too, there are more than 10 million persons engaged in street vending and hawking who constitute about 2.5 per cent of urban population. In view of the protecting the street vendors and regulating vending and hawking in urban areas, Government of India has introduced National Policy on Urban Street Vendors, 2009 and the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2013. Against this backdrop, present paper focuses on theoretical perspective of rehabilitation of urban women street vendors in India.*

Urbanization is critical to the development of country. The urban population of India is likely to increase by 590 million, constituting about 40 percent of total population by the year 2030. India will have the largest growing work force for the next 20 years, as 270 million Indians will join the working age population by the year 2030. Job growth in cities will be for more robust, growing at around 3.6 percent annually increasing from around 100 million today to 220 million in 2030. Cities will account for 70 percent of all new jobs created in India during 2010 to 2030 (McKinsey, 2010). Cities provide benefits beyond their own boundaries. McKinsey (2010) in its report has pointed out that 180 million people who live close to cities were benefited with the economic opportunities, markets and the connecting infrastructure in the urban centers. These people were assumed to live in rural areas next to the about 70 largest urban centers in India. India will have 68 cities by 2030 with population of more than one million, compared with the figure of 35 in 2001. Similarly, the number of urban centers is likely to increase by 6000 in 2030. However the concentration of urban population is still in larger cities. About 57 percent of urban population of the country resides in the urban centers, comprising of less than one million populations.

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The Report on Conditions of Work and Promotion of Livelihoods in Unorganized Sector by National Commission on Enterprises in Unorganized Sector brought out in 2007 has revealed that majority of the India's workforce is engaged in informal economy, mainly in unorganized enterprises or household activities. The urban informal sector comprises a large part of the unorganized non-agriculture sector. Home-based workers, street vendors, domestic workers and waste pickers account for about 1/3<sup>rd</sup> of urban employment. Street vendors and hawkers are engaged in the trade of manufactured goods and products as well as delivery of services to the urban dwellers. The street vendors and hawkers are engaged in petty business and deals with low size of business turn over mainly on daily basis. The street vendors and hawkers do their business on the road sides, specified market places, mainly natural markets, and selling goods and products door to door in urban centres. The street vendors and hawkers are subjected to the harassment of police and municipal authorities besides facing problems and challenges in their earnings and livelihood developments. The policy and legal enactments have created supportive environment for the rehabilitation of street vendors and hawkers besides protection of livelihood and regulation of vending activities.

The issue of engendering development and women empowerment has been in the central stage with the shifting of paradigm of development and governance at the global level and particularly in India. No country can afford development without considering women who constitute about half of its stock of human resource. However, development has bypassed women in India despite worshipping and paying respect to women in mythology and historical texts. Gender disparities vary vastly across cultural, geographical and historical context. India is a large country with vast economic and socio-cultural diversity in its varied regions. The development issues related to women in a large country like India will not only be inappropriate but sometimes even misleading. Women related legislations have been enacted to safeguard the rights and interest of women, besides protecting against discrimination, violence, and atrocities and also to prevent socially undesirable practices. Empowerment of women is closely linked to the opportunities they have in education, health, employment and for political participation. The informal economy in urban areas has played significant role in empowerment of weaker sections of society, poor and women. Street vending and hawking contributes significant share in urban employment and livelihood development in urban centers. Women markets in Imphal have been developed by State Government in view of rehabilitation of women vendors and hawkers. These markets are exclusively for women street vendors. The model of women markets has been well appreciated as it has created milestone in women empowerment and poverty alleviation in urban centers.

India is one of the countries that have developed a National Policy on Urban Street Vendors. The national policy was adopted in 2004 with the objective of providing and promoting a supportive environment for urban street vendors to earn their livelihoods, while at the same time reducing congestion and maintaining

sanitary conditions in public spaces and streets. Though, its implementation since 2004 has been poor and uneven, Supreme Court has upheld the fundamental rights of street vendors in various court cases over the time, and in October, 2010, called on the government to enact a law on street vending not later than June, 2011. The Supreme Court judgment reinforced the need for state and local governments to implement binding laws based on national policy. India's National Policy on Urban Street Vendors is unique because of the supportive approach, it takes forward street vendors, providing them dignity and recognition in the national policy arena. The policy explicitly acknowledges the contribution of street vendors to urban life, and is designed as a major initiative for urban poverty alleviation. The National Policy has made provisions for spatial planning for inclusive development, demarcation of vending zones, creation and maintenance of civic facilities, formation and functioning of Town Vending Committee, survey and registration of street vendors. National Urban Livelihood Mission, launched in 2013 has also made provision for training and capacity building of poor street vendors and hawkers besides providing credit on subsidized rate of interest. Madhya Pradesh has been the pioneering state for introducing State Street Vending Policy in 2006 which was revised as per National Policy of 2009. The government has also launched a programme based on social convergence under state sponsored scheme for the welfare and rehabilitation of street vendors and hawkers. In view of the effective implementation of National Policy on Urban Street Vendors, the Government of Uttar Pradesh has proposed Draft Bill – The Uttar Pradesh Street Vendors (Protection of Livelihood and Regulation of Trade) Bill, 2012, to provide for protection of livelihood of urban street vendors and regulate street vending.

Policy approaches to women and development in India have changed over the years of planned development. However, the shift from 'welfare' to an 'empowerment' approach has remained more in the realm of the rhetoric. The approach to the Twelfth Plan also exhibits insufficient awareness of the specific problems of women, their unpaid labour and their distinctive economic contribution to the nation's economy. Thus, the major shift through this initiative was to move the engendering of public policy into the macro-economic space (Ministry of Urban Development, GoI, 2010). The policy approach underlying both the Eleventh and Twelfth plans expects to promote economic growth through creating opportunities for the entrepreneurial class by liberalizing domestic and global markets. This framework – in which Gross Domestic Product (GDP) growth is the relevant indicator and 'a dynamic private sector' is seen as the main instrument for its expansion – gives insufficient importance to employment intensive activities and conditions of existence for the majority of workers. The inclusion of the excluded or marginalized socio-economic groups is expected to occur through a trickling down of growth, expansion of productive employment in the economy, as well as implementation of flagship and other targeted programmes to be financed by the increased revenues of the government resulting from high growth rates. However, the direction of macroeconomic and growth policies is one that continuously undermines the

possibility of better employment creation for greater numbers. This in turn permeates and infects all the other aspects of the Approach such that the basic objective of making growth “more inclusive” is unlikely to be met (UNIFEM, 2013). The strategies for growth proposed in the Approach to the Twelfth Plan appear to be formulated with little consideration for the needs and roles of large sections of the population of the country and especially of poor women. This document aims to highlight some of these gaps in the overall design of the proposed approach to planning and to suggest ways of making economic growth during the Twelfth Plan truly more inclusive.

There is little evidence to show that the accelerated growth rate of the economy during the Eleventh Plan led to any significant achievement of inclusion. It deflects responsibility for achieving inclusiveness by stating that “success depends not only on introducing new policies and government programmes, but on institutional and attitudinal changes, which take time”. Inclusiveness has remained elusive. Even the limited focus given to inclusion and equity in the Eleventh Plan appears to have been jettisoned in the Twelfth Plan Approach, which focuses narrowly only on growth per se, assuming growth will ensure an improvement in the lives of people overall. The paragraphs on inclusion in the Introduction to the Approach Paper are particularly weak as they remain at the level of general intentions. There is lack of clarity regarding how inclusion will occur (UNIFEM, 2013).

In order to ensure inclusive growth, it is essential that all potential workers find remunerative employment in the mainstream of development. *Generating productive work has to be an integral part of the plan model.* It is now officially acknowledged that economic ‘development’ has not just witnessed the growth of the informal sector and of those being employed informally, but also the phenomenon of the ‘informalization of the formal sector’ (NCUES, 2007). Further, there is remarkable consistency in the manner in which larger numbers of women and their ‘work’ either become invisible in data systems or get captured in categories that fall outside the purview of protective legislation. The organized or formal economy supposedly enjoys the protection of labour laws with some modicum of social security, but even this apparent protection is elusive. The National Commission for Enterprises in the Unorganized Sector (2009) estimated the effectiveness of the coverage of important labour laws for the year 1999-2000. Among other things, this exercise revealed that the effectiveness of coverage as far as the Maternity Benefit Act, 1961 was concerned was only 16 per cent. The International Labour Organization’s recently concluded evaluation of maternity benefit schemes in India, carried this exercise further and revealed the manner in which eligible women workers were denied maternity benefits statutorily due to them (Lingan and Krishnaraj, 2010).

The manufacturing sector currently poses a serious problem for the Indian economy. Despite rapid growth in production during the last five years, its contribution to the national economy still remains relatively small and it has failed to generate additional decent employment. Especially for women, manufacturing

employment actually shrank in this period. These trends are contrary to the world-wide pattern of economic development. While mentioning the need for generating employment in manufacturing, the Approach Paper for Twelfth Plan does not explore the sector's potential for doing so, besides making a 'brave' assumption that an additional hundred million decent jobs will be created by 2025, when only five million jobs were added to manufacturing in the whole decade preceding i.e. 1999-2000 to 2009-10. There was an increase in manufacturing employment from 44 to 55 million between 1999-2000 and 2004-05, but it fell to 50 million in 2010. Instead of recognizing this reality, the paper goes on to focus only on ways of enhancing the sector's contribution to the GDP and neglects other concerns. Methods by which such a massive number of jobs are to be created remain unaddressed. Manufacturing employment actually declined in the period 2004-05 to 2009-10, even though manufacturing output grew at an annual compound rate of more than 8 per cent over the period.

The Approach Paper for Twelfth Plan mentions the setting up of a high level National Transport Development Policy Committee to develop a transport policy going up to 2030, which will facilitate an efficient expansion of the transportation network in a manner that would help to minimize energy use and would place special attention on competitive pricing and coordination between alternative modes of transport. However, transport needs to be viewed not merely as a support for rapid growth, but also as an agent for change and development, for increasing the physical and societal mobility of people, especially women. Women's inclusion in developmental activities rests critically on their mobility. Needless to state, the National Transport Policy has to keep women's needs in mind. Gendered infrastructural empowerment is obvious in the several levels of interconnections.

There are several ways in which gender sensitive policies can be implemented in the context of investment in infrastructure. These include pre-project rapid gender assessment surveys; gender-sensitive project coordination team and appropriate institutional structures; participatory project planning and implementation with women and men in communities, including procurement activities; women's participation and decision-making in community infrastructure management; women's participation in generating and operating maintenance funds; promotion of local cooperatives and SHGs for provision of materials; special concessions for women and child-headed households, pregnant women, MGNREGA households; financial resources for capacity building and training of local authorities; dissemination of guidelines in local languages for operation, management, and maintenance of public infrastructure; collection of sex disaggregated data; systematic institutionalized evaluation through use of appropriate gender budgeting tools for each project and sub-sector; formation of sector-wise multi-agency steering committees; systematic policy consultation and support for identifying gaps, strategizing action plans, and gender mainstreaming; development of appropriate infrastructure in the form of legal mechanisms and services; expansion of public sector; and extension of gendered regulation in private sector with cautious use of Public Private Partnership in building infrastructure (UNIFEM, 2013).

There is need for recognizing the critical care work provided by women, that saves the public health system both time and cost. The primary responsibility of care-giving within the home lies with women. This needs to be recognized and support provided to alleviate the difficulties, drudgery and depression that surround this role. The burden on home-based care givers must be reduced by strengthening primary health centres and public hospitals, community care homes and hospices.

The Report on Conditions of Work and Promotion of Livelihoods in Unorganized Sector by National Commission on Enterprises in the Unorganized Sector brought out in August 2007 (NCEUS, 2007) reveals that in the year 2004-05, out of India's total workforce, 92 per cent worked in the informal economy - in unorganized enterprises or households, excluding regular workers with social security benefits, and in the formal sector, without any employment and social security benefits provided by the employer.

By 2010, nearly half of the urban workforce was self-employed, while wage employment also becomes more informal. Recent estimates suggests today's urban workforce is comprised of a small formal salaried workforce (20 per cent), of which around 2/3rd work in formal offices and factories, a large informal wage workforce (40 per cent) of which around 15 per cent work in formal offices and factories, and a large informal self-employed workforce of which around half work at home or in open public spaces. These trends at the bottom of the economic pyramid indicate volatility within the India labour market (WIEGO, 2011). India's urbanization is experiencing rapid expansion in population without the attendant industrial and economic growth (Rakodi, 2005). The main consequence of the failure of urban employment in the modern and public sectors is to keep pace with urbanization has been that an increasing proportion of the workforce is turning to what is known as the informal sector (Singh, 2011). Urban space in developing cities is a key element of the physical capital in the livelihood strategies of a good number of urban residents, namely the poor (Brown, 2006). This is because of the facts that most households obtain their income from informal economic activities such as petty trading and manufacturing, which rely on access to urban space making it a critical physical livelihood asset (Brown and Lloyd, 2002). Vibrant informal vending activities transpire in streets pavements, walk ways, and other venues in public space (Jimu, 2005). Other areas along major thoroughfares and streets; areas around market places, bus stop, work sites and preferred down town locations attract large concentrations of street vendors and other informal operators (Cohen et.al., 2005). The informal sector is mainly consisted of street vendors followed by self entrepreneurs besides workers. Street economic activities contribute to the share of total employment in trade in cities. Urban informal employment in India has been concentrated in three industry groups: manufacturing, trade and non-trade services which account for 26 percent 29 percent and 32 per cent, respectively in 2009-10. Street vending constituted 11 per cent urban employment and 14 per cent of urban informal employment during 2009-2010. Importantly, street vendors constituted about 15 per cent share in urban informal employment during 2009-10

as against the share of only 8 per cent in 1999-2000. Street hawking is a worldwide phenomenon. Street vendors and hawkers throughout the world constitute the most visible and active parts of the informal sector. In most Indian cities, urban poor survive by working in the informal sector. Over 90 per cent of country's workforce earns its livelihood in the informal sector which account for 63 per cent of country's GDP. Street hawking has been a major source of self employment for the urban poor in India and as a profession which has been in existence since times immemorial (Bagga, 2010).

There is a substantial increase in the number of street vendors in the major Asian cities (Bhowmik, 2005). In India too, street vendors constitute about 2.5 per cent of the urban population in metropolitan cities. The total number of street vendors in the country has been estimated to be more than 10 million. This number is likely to increase with the increase in migration of poor from rural and smaller towns as cities are engines of growth and provide better economic opportunities in terms of employment. There has been substantial increase in the number of street vendors in the major Indian cities. Mumbai has the largest number of street vendors numbering around 2.5 lakh, Kolkata has more than 1.5 lakh Street vendors, Ahmedabad and Patna have around 1 lakh vendors. The globalization and economic liberalization have created employment opportunities on the one hand while it has also displaced workers in large enterprises who have turned to street vending as an alternative source of income (Bhowmik, 2012).

Globally, street vendors began to organize in the 1990s as globalization and urbanization exacerbated city-level conflicts between vendors and local authorities. In November 1995, representatives of street vendors from 11 cities across five continents held the meeting of the International Alliance of Street Vendors in Bellagio, Italy. The Bellagio International Declaration of Street Vendors, signed by representatives at the meeting, called on governments to establish national street vending policies. The international declaration was a landmark development in the vendors' movement at the global level (Sinha, and Roever 2011).

India's National Policy on Urban Street Vendors has recognized the positive role of street vendors in generating employment and in providing essential goods to people at affordable prices and convenient places. While recognizing the need for regulation of street vending, the policy aims to reflect the spirit of the Constitution of India on the rights to work and equal protection before the law. The policy explicitly views street vendors as an asset for urban economies. The National Policy is organized around seven specific objectives that aim to balance the need to promote vendors' livelihoods with the need to prevent overcrowding and unsanitary conditions in public spaces and streets. The explicit goals of establishing legal status for vendors, including vending zones in urban planning, and ensuring a transparent regulation system are critically important. These policy objectives are meant to overcome the persistent problems of police harassment and political patronage that are routinely found in countries worldwide (Sinha and Roever, 2011).

Singh (2013) has critically reviewed the implementation of National Urban Street Vendor Policy and Legal Framework in India. He is of the view that street vendors and hawkers significantly contribute in the informal economy of urban centres. The growth of street vending has been substantial in larger cities. The globalization and economic liberalization have created economic opportunities on the one hand while it has also displaced workers in large enterprises who have turned to street vending as a substantial source of income and livelihood.

## CONCLUSION

Addressing poverty is the most significant challenge in this millennium, clearly reflected in the Millennium Development Goals that seeks to halve global poverty by one half by 2015. The concern also forms a component of other global initiatives like the UN Habitat Agenda and campaign for good governance. Development initiatives to empower the poor, in the context of addressing the global challenge of poverty, invariably have a credit component. The rationale is that economic empowerment of the poor through strengthening the income generating capacity, equips the poor to access all the development requirements to get out of the multifaceted dimensions of poverty. The National Policy on Urban Street Vendors, 2009 acknowledges the significant contribution of street vendors and hawkers to the urban life which is also adopted as a approach and initiative for urban poverty alleviation. The implementation of National Policy and the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2013 has been supportive towards the livelihood development of urban poor in street vending as well as the rehabilitation of street vendors and hawkers. The proposed study will be of paramount importance for the policy implications and operational view point as it will examine the current status of urban street vendors and hawkers, their participation in development programmes and schemes, problems and constraints as well as legal and policy enactment for protection of livelihood and regulation of street vending.

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