



DRAFT REPORT

ON

THE IMPLEMENTATION STATUS OF

**STREET VENDORS (Protection of Livelihood and Regulation of Street Vending) ACT
2014**



लक्ष्मीनारायण वेंडिंग जोन पर
चला प्रशासन का बुलडोजर



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Draft Report on the Implementation Status of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014

Author:

Sadaf Tauhid

Editing:

Chandana

With Support from:

National Hawkers Federation and its team from Jharkhand, Chhattisgarh, West Bengal Odisha, Bihar and Delhi

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Chandana

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This report has been successfully completed due to the tireless effort of the State Leaders of the Federation who have not only organized the vendors but also been helpful in providing the relevant and necessary data required for the report.

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ABBREVIATIONS

BMC	Bhubaneswar Municipal Corporation
CEO	Chief Executive Officer
CGFSI	Credit Guarantee Fund for Small Industries
ESI	Employees' State Insurance
FAO	Food and Agriculture Organization
FDI	Foreign Direct Investment
JNNURM	Jawaharlal Nehru National Urban Renewal Mission
GDP	Gross Domestic Product
MCD	Municipal Corporation of Delhi
NHF	National Hawkers Federation
RAY	Rajiv Awas Yojana
RSBY	Rashtriya Swasthya Bima Yojana
SIDBI	Small Industries Development Bank of India
SP	Superintendent of Police
TVC	Town Vending Committee
ULB	Urban Local Bodies
UT	Union Territories
WHO	World Health Organization
YUVA	Youth for Unity and Voluntary Action

Introduction

1.

From the ancient history, markets have been always an important part of any society. The processes of buying and selling have been one of the core components of human's dependency on each other. This process has obviously evolved from barter system to exchange of currencies. But one thing which has remained constant but in various forms are street markets. In today's terminology the sellers of such markets are named as Hawkers or Street vendors. Every small or big city, rural or urban areas have the presence of these street vendors. They can be found outside schools, colleges, government buildings, historical monuments, subways, bus stops and even malls while provide a wide range of items at low cost.

In the time of neo-liberalization, recognition of these street vendors and their contribution to the national economy has taken much time. Their struggle to carry on with their occupation with dignity and legality has been historic and full of hardship. Nonetheless, on 6 September 2014, *Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014* was passed which recognized street vending as a legal occupation. According to the Government of India, there are three basic categories of street vendors: stationary, peripatetic and mobile. Stationary vendors are those who carry out vending on a regular basis at a specific location, with implicit or explicit consent of the authorities. Peripatetic vendors are those who carry out vending on foot. Mobile street vendors are those who move from place to place vending their goods or services on bicycles or motorized vehicles.

The mentioned Act asserts the importance of all these vendors by stating: "Street vendors form a very important segment of the unorganized sector in the country. It is estimated that in several cities street vendors counts for more than 2 per cent of the population. Women constitute a large segment of these street vendors in almost every city. Street vending is not only a source of self-employment to the poor in cities and towns but also a means to provide 'affordable' as well as 'convenient' services to a majority of the urban population."

Most of the hawkers belong to the low income group. There are linkages between small suppliers, small sellers and small buyers, which provide reciprocal benefits and contribute to the national economy. This informal economy generates income for local people because the majority of hawkers sell commodities which are produced in the state. In short, we can say that a street vendor is someone who offers goods or services for sale to the public in the street without having a permanent structure.

Struggle of Street Vendors in India

Street vendors have a negative public image, being associated with accidents, congestion, etc. Yet this is the biggest service sector in India. They get their suppliers from cottage and home-based industries and also cater to poor consumers whereas large format retail supplies products made by large scale enterprises or imported items.

Though the street vendors' markets present myriad colors, underneath the shimmer is discontent and anguish. These vendors contribute significantly to the urban distribution system, but in return face humiliation, harassment and confiscation threats from police officers and inspectors from local governing bodies such as the Urban Local Bodies and Municipal Corporation. Municipal authorities frequently demand bribes from vendors. A study conducted in Mumbai found the working conditions of street vendors to be abysmal, with their average working days at least ten to twelve hours long, Hygiene Problem, lack of Water Supply and Electricity and obviously continuous threat of Eviction even after the Supreme Court Order and National Act.

The major threat for these hawkers is the Food Safety bill, which is being promoted by hotels. Studies by various organisations such as FAO and WHO have found that food hawkers in Kolkata are more hygienic than the big three star hotels. They provide 1000 calorie food for Rs. 7 or 10. More than two hundred different types of food are available in Kolkata from street hawkers, giving choice to the poor. For other hawkers engaged in retail, FDI is the biggest threat. Reliance will sell at goods at Rs. 5 that hawkers have to buy from the market at Rs. 8.

Street vendors face different types of livelihood risks because of the legal, physical, and socio-cultural environment in Delhi. The Report on the "Conditions of Work and Promotion of Livelihoods" by the National Commission for Enterprises in the Unorganized Sector states that, "The lack of recognition of the role of street vendors culminates in a multitude of problems faced by them such as obtaining licenses, insecurity of earnings, insecurity of place of hawking, gratifying officers and muscle-men, constant eviction threats, fines and harassment by traffic policemen."

The most pressing and ongoing risk for many street vendors is the possibility that the local government authorities, and Municipal Corporation forcibly evict them from the streets or confiscate their merchandise. This risk of displacement often increases in the context of elections, mega-events or efforts to beautify city centres; the eviction and displacement of street vendors in Delhi during the 2010 Commonwealth Games is a testament to this harsh reality. Female street vendors face heightened risks, as they are more likely to operate in insecure or illegal spaces, trade in less lucrative goods, generate a lower volume of trade, and work as commission agents or employees of other vendors. As a result, they tend to earn less than male vendors in Delhi.

The problems of street vendors are further compounded by the fact that vendors have very little access to social welfare schemes run by the Central & States government. Since street

vendors spend the majority of their working time on open roads, they are vulnerable to different types of diseases like migraines, hyper-acidity, hypertension, Tuberculosis and high blood pressure due to pollution. The lack of toilets has an adverse effect on women's health and many suffer from urinary tract infections and kidney ailments. Mobile female street vendors also face security issues.

Street vendors are increasingly regarded as a public nuisance by middle- and upper-middle-class people who aggressively demand restoration of pavements as public space when street vendors 'encroach' on them. Government officials and urban vehicle owners also consider street vendors to be a hindrance, claiming that they clutter the urban space and prevent the smooth flow of traffic. Vendors are accused of depriving pedestrians of their space, causing traffic jams and having links with criminal activities.

2.

Role of YUVA Urban & National Hawker Federation

YUVA Urban is working for the right of Social Security for informal worker. It has supported and has been parts of many movements and campaigns for the rights and welfare of the informal worker especially for street vendors in collaboration with the federation like National Hawker Federation famously known as NHF.

YUVA Urban and National Hawker Federation together organised many consultation and advocacy programme all over India for the formation of Street Vendors Act, 2014. YUVA and NHF together played a major role in the creation of the Model Act and the Street Vendor Policy of 2004 and 2009 and Street vendors Act 2014. More than four of our members were in the Task Force constituted by the government for the above purpose. We have also met the Ministers of Housing and Urban Poverty Alleviation and Standing committee Chairman and made comments and observations to the proposed "The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bill, 2012".

This report is a joint effort of YUVA Urban and NHF in order to bring out the status of implementation of the Central Act after one year of its passing in the Rajya Sabha.

3. STATUS OF IMPLEMENTATION OF SVA ACT IN THE 7 STATES

3.

In India, almost 94 per cent of India's work force earns its livelihood in the informal sector, which contributes 63 per cent of the country's GDP (one of largest contribution from one sector of any economy in India). Street vendors and hawkers are among the most visible and active parts of this large informal sector. Most of them belong to rural background that came to the urban area to earn livelihood to fulfil all their needs of the families which he was unable to do in rural areas through agriculture or the land they own or from daily wages from other type's livelihood activities.

Detailed information about the states has been mentioned below.

Maharashtra

The Street Vendors (Protection of Livelihood and Regulation of Street Vending Act), 2014 though implemented throughout the nation and but the state Government is yet to formulate the rules for proper working of the act, the state government has announced during the Monsoon session of the legislature, 2014 that it is working on the draft of the policy as per the directives given by the Hon'ble Supreme Court, but it is not finalized till date.

Given the above fact, we have surveyed on the status of the said act in some of the Urban Local Bodies (UKBs) of the state and scenario of is not much different all over. Except few Municipal corporations and local self Governments who had at least formulated the Town Vending Committees (TVCs), the situation of the Street vendors has not improved, many ULBs had not established the TVCs and in most of the Municipals the survey of street vendors has not completed, the atrocities over the street vendors continued to exist. Following is the status of the implementation of these rules in some of the Municipal corporations of the State.

Following is the situation of the implementation of the act in some of the Local Self Governance bodies.

Mumbai Municipal Corporation: - The Draft committee on the Maharashtra Rules had been formulated but there are no representatives from Hawkers' Collectives therefore the rules which will be drafted will not reflect the side of vendors. The Town Vending Committee had been formulated but the survey of the hawkers and vendors had not been completed yet and the disciplinary actions against the vendors are still continued.

Pimpri Chinchwad: - The Town Vending Committee has been established in Pimpri Chinchwad Municipal Corporation in Pune District, with the cooperation of all the stake holders and government, the meetings of this committee are held regularly, the survey of the

Hawkers and street vendors has completed to almost 85 to 90 %. The process of issuing the certification and Identification has been initiated in the corporation.

Nagpur: - Nagpur Municipal Corporation had formulated the Town Vending Committee but most of the members were recruited bypassing the rules and regulations of the said Act. The irregularity of the meetings and non representation of the original hawkers lead to obliteration this committee, till now no new committee has been established and made in to function. The survey of the hawkers and street vendors has not at all started. Disciplinary actions by Municipal Corporation and Police are continued to threat the vendors.

Amravati: - The TVC had been formulated in Amravati Municipal Corporation but it is not active. The registration forms are being circulated through the unions but they are not being filled up by paying the site visits. The list of the Zone wise committees had prepared but the process of finalizing of the list and work of committee has not started. Municipal Corporation has not set any rules for the standardizing the procedures besides the actions taken against the vendors by police and municipal governance are still going on.

Akola: - The condition in Akola is even worst, there is no TVC is being formulated by the authorities, no surveys have taken place and the actions are still going on against the hawkers and street vendors. The condition was even critical when a hawker was died on the spot due to actions of the Police.

Sangli: - The TVC was formulated a year ago but the meetings are very irregular of the same rather it was conducted only once in past one year. The survey of the street vendors and hawkers has not even completed 25 percent. The false forms are distributed amongst the vendors and hawkers and story not so different from other parts of the states regarding the actions taken by local governance and police against the hawkers.

Kolhapur: - The TVC is formulated in the Municipal Corporation of Kolhapur. The Corporation has done something which other ULBs have failed to do and that is to provide the Biometric Identification cards for the hawkers. The survey has been completed up to 80-88 percent but the finalization of the Hawkers' Zone is yet to take place.

Satara: - Satara has done good efforts than the other Urban Local Bodies. The local municipal has formulated the TVC and the meetings are regularly conducted within the TVC. The survey of the hawkers and street vendors is completed even the ID cards are prepared as well. The ID cards are not yet distributed amongst the members. The hawker's zones are not yet declared by the corporation.

Ratnagiri: - In Ratnagiri the forms are being filled for the memberships and the actions against the hawkers and street vendors are implemented by the police and local governance.

Delhi

It's been 8 months of the coming of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 in the country, but the implementation of the act is very poor in all states of the country. If we look in Delhi which is a capital of the country, there is hardly any step taken by the government or administration of the state to implement this act. Although the State has no Government since February but Lieutenant Governor has also right to implement this act in Delhi. The state has not adopted Street Vendor's Act 2014 and neither made any act related to the street vendors Act. The state has grievance redressal mechanism to intervene into any case/dispute of vendors but due to lack of awareness among vendors they don't approach to redressal mechanism.

In Delhi, Town Vending Committee (TVC) has been formed in only East Delhi Municipal area as per the order of Supreme Court of India. The TVC has been chaired by the Municipal Commissioner of East Municipal Corporation and 40% of the members of the Committee are vendors. Although most of the vendors have become members of the committee through bribe or through political approach which is against the Supreme Court order. The Municipal Corporation had advertised in the newspaper for the application of membership of TVC and wherein union leaders have applied too for the membership of Town Vending Committee. The formed TVC is not functioning appropriately as there have been no meetings as per the requirement or any credit society or Self Help Group have been formed. There are no training programmes for the welfare of the vendors. Even till now, they have not carried out any survey of the hawkers which is a compulsory role of TVC as per the order of the Supreme Court.

The total numbers of Street vendors are around three lakh and around one lakh eleven thousands vendors are registered. There are some places in Delhi which is marked as vending Zone but ironically these places are out of people's usual marketing area and thus marking them as vending zone serves no purpose. There are weekly markets also in which most of the lower middle and middle class people in Delhi goes for their everyday requirements. It has been found that there is no timing system like Roster system, Days allotment system or Hour allotted on those particular days. It is usually on First-come-first basis and vendors/hawkers are not allowed in the railway area premises. Although there are some road like Qutub road and Sadar Bazar area where hawkers are allowed to do vending activity before/after the public rush or opening and closing of the market. We can also see vendors doing vending activities in areas like Chandni Chowk just down the board of NO- VENDING zone. The conditions and basics facilities in the vending areas are very poor. Most of the places have no toilet, dustbin, rest rooms, and crèche or cold storage facilities where as per the Act, all these have to be provided by the Municipal Authority.

The urban local bodies has not started any form of "on the spot" temporary registration process on the renewable basis. They also collect revenue/ fines/ charges under the MCD Act 431 on health, hygiene and License. The eviction, relocation & confiscation of the goods of hawkers are part of their life and the Street Vendors Act, 2014 and Supreme Court has not brought any impact on this inhuman activity of the ULB or Local Police.

The state government and local government are also not able to provide health services including reproductive and child health care facilities and insurance to vendors and their families, social security schemes for the old age or widow vendor's.

Child labours are also very common in some vending markets of Delhi but TVC and administration is not taking any action into this or in rehabilitation of these children, most of the children are working as a supportive hand of the Parents.

Jharkhand:

The situation of Jharkhand is different from other states. In Jharkhand, the state government has passed Street vendors Acts in 2011. Some clauses of Jharkhand street vendors Act are much better than the Street vendors Act, 2014. While there are still few clauses in the State Act which needs to be amended in alignment with the Street Vendors Act, 2014. For this continuous liaisoning effort are being undertaken with the Urban development Ministry and their ministers.

As the Jharkhand street vendors act was passed in 2011 and it also focused on formation of town vending committee and their roles and responsibility. In Ranchi, town vending committee has been formed in fair manner by the Municipal Corporation in which 40% of the members are from Street vendors and the Chairman of TVC is Deputy CEO of the Corporation. Although it's been almost 3 years since the formation of TVC but the state government and TVC has not conducted any survey for the identification of the vendors of the city, not declared any vending zone, although all city areas considered as vending area and TVC have not issued identity card and skills development training for vendors. Even TVC has not formed Credit society or Self Help Groups for the Vendors although some unions and federation are providing loans to the vendors. In the last, two year TVC has met for two times in which all the members were present with the purpose of orientation of the members and no decisions were taken for the welfare of the Hawkers.

The grievance redressal mechanism body in Jharkhand is also not very much active and most of the vendors/hawkers and their union leaders are not aware about this institution. The street vendors' association/federation are not getting any financial assistance from the local/state/central government for maintaining the hygienic condition in the vending zone and there is no collaboration of the street vendor with the institutional credit society like SIDBI, CGFSI in Jharkhand.

In a survey conducted by the National Hawker Federation team of Jharkhand, it has been found that total numbers of vendors are more than 20,000 in Ranchi. Most of the hawkers are doing their vending activity on road side area which is considered as a natural market and there is no timing or roaster system in Ranchi. The vendors are not allowed to do vending on Railway Land. As per the National Act or the State Act, one vendors can do vending at one place and he cannot give the same space or rent it out to other vendors and if it is found then he/she will be fined penalty or can be unauthorised by the Committee to do vending in any

vending area. Children's are also involved in the street vending in a supportive role to their parents and TVC has failure to stop this problem.

In vending zone area there are no basic civic facilities for the vendors especially nothing for the women vendors or their children. These are the two vulnerable groups which are very much in need of basic facilities in the vending zones. There is only Rashtriya Swastha Bima Yojana (RSBY), a health schemes from which vendors are receiving health check-up benefit.

Apart from TVC, the urban local body has also not started any kind of survey to identify and register the vendors. But eviction or confiscations of the goods of vendors can be seen everywhere in Jharkhand even after the Supreme Court order and passing of the Street Vendors Act, 2014. These evictions of the vendors are completely in violation of the law and most of the Street Vendors Unions and individuals are still fighting against it with the State Police and Municipal Corporation. The Hawkers' Movements organisation/ unions have also filed many cases in the High Court and Supreme Court against illegal act of Police or Municipal Corporations. In the month of June & July, the Chief minister of Jharkhand handed over the power to SP (traffic) to clean roadside and as a result SP (traffic) directly not only evicted hawkers but also destroyed their belongings and business goods.

West Bengal:

In West Bengal Hawker's Movement began in 1980's and hawkers and their leaders started fighting for their right with the government to demand for legalising their occupation which gives services to the 70% of the country population.

In west Bengal the Street Vendors Act, 2014 has not been implemented by the government but in the year 2010, a state policy was prepared by the government which was not passed in the assembly. Town vending committee has not been formed yet in West Bengal. The total numbers of Street vendors in the city are 2.75 lakhs and they are not registered and surveyed yet irrespective of the law which says that this is the responsibility of TVC. The state has no specific information/ GR/ State Policy.

In Kolkata, street Vending are running like a natural market and there is no timing system of hawking and all roads are like vending zone. One third of the pavement area is allotted to the Hawkers. There are some hawkers in railway land too but eviction or relocation of hawker is a continuous process in Kolkata even after passing of the Act and Supreme Court orders against evictions. Although hawkers are not allotted any space in Kolkata but the place where they do hawking are considered as their own place and sometimes they give that place on rent to other while at times they sell them to other hawkers. There are no rules for the vendors belonging to Minority group or handicapped in allocation of spaces for their vending.

There are no basic amenities services like dustbin, toilets, drinking water supply, cold storage etc. for the hawkers in Kolkata.

Urban local government officials and policemen take bribes from the hawkers to give security and safety to their livelihood because they considered vending as a crime.

The street vendors' association/federation are not getting any financial assistance from the local/state/central government for maintaining the hygienic condition in the vending zone and there is no collaboration of the street vendor with the institutional credit society like SIDBI, CGFSI in Kolkata. To help hawkers of Kolkata, there are 90 Hawkers' Union which help their members and others hawkers. Recently hawkers are included under pension scheme of Unorganised started by the West Bengal government.

National hawkers Federation and Hawker Sangram Committee have filed cases in Kolkata high court against eviction of hawkers near Sealdah civil court and PG hospital area.

Bihar:

In Bihar, the state government has not adopted the Street Vendors Act, 2014. Though the State government has made a State Policy but the Central Policy is better than State one because as per the Central policy vendors who are vending from more than 50 years cannot be relocated to other place. This provision is not included in the State's Policy but still after the passing of the Central Act, the State made some changes like included women and handicapped in Town Vending Committee.

The Town vending committee has not been formed in Bihar but only in Bodh Gaya because of the pressure of Bihar team of National Hawker Federation. TVC has been formed by the Municipal Council whose Chairman is the District Magistrate. 40% of the street vendors are members of TVC and they are nominated by the unions of the street vendors. The roles and responsibility of the TVC are so many but they are not able to perform all the roles & responsibility due to lack of their knowledge about it.

The state has not declared any area as a vending zone although in Bodh Gaya there are almost 5000 vendors and till now survey & registration of the vendors has not started by the local Government. The procedures of space allotment to the vendors has also not started and most of vendors do vending on roadside area, cause of tourist place vendors carry their business everyday from morning to evening on all roads but the ULB has not provided any Civic amenities services to the vendors. There are nothing like weekly markets in the city. Due to non declaration of Vending Zone there is nothing like Ownership/lease of spaces for the hawking.

The Hawkers' Union, Co-operatives or Association are not giving any financial support to the vendors and there is no SHG among the Vendors. Although, the State Government has included the Street vendors into RSBY in which hawkers gets reimbursement of Rs.30,000/- on their health check up. The government has not started any scheme or training programme under the National Urban Livelihood Mission of the Central government. In Bihar also there is no collaboration of the street vendor with the institutional credit society like SIDBI, CGFSI and absence of social security schemes.

Generally, the dispute between the vendors or with the administration has been solved with meetings and negotiation and in the extreme condition they go to the Court for the solution of the disputes.

Odisha:

Odisha State government have their own Street Vending Regulation Policy through which they regulates street vending in Odisha. Odisha's Street Vending Regulation Policy is very much similar to the 2004 & 2009 National policy. The State's Policy is not in the public domain but the State claims that 50% of its clauses are in aligned with the Street Vendors (Protection of Livelihood & Regulation) Act, 2014.

In the Capital of Odisha, Bhubaneswar Municipal Corporation (BMC) has formed Town Vending Committee in Bhubaneswar to protect and regulate the street vending in the City. The Slum Development Officer is the convenor of the TVC and the Commissioner of BMC is Chairman of the Committee. The Hawkers representation in TVC is 10% which is lesser than other States' Policy and the Central Street Vendors Act 2014. The representatives of the hawkers have been decided with the consultation and meeting with different hawkers groups and unions. There have been almost 100 complaints regarding the selection procedure or unfair practices or selection of non-rightful beneficiary.

As the TVC is newly formed they have taken up some of the responsibilities like registration through digitalised photo census and issue of certificates to the street vendors. Even the ULB has started "on the spot" temporary registration of vendors on renewable basis.

In the city almost 2000 vendors are registered. The ULB and TVC charged 50 rupees fee and 500 rupees per annum for other services in vending zones.

The TVC has declared 60 vending Zones in Bhubaneswar with space allocation to approximately 22000 street vendors. The space allocation has been done through lottery system and spaces have been reserved for the physically challenged vendors. One third space in one side of the road has been given to the vendors. Timing system of vending is full time and there is no other restriction of timing on vendors. Weekly market is not a culture of Bhubaneswar. In the vending Zone basic services like dustbin, electricity, drinking water, even parking areas are there in few vending zone, protective covers to protect wares of street vendors is also there. The sign boards have been put up specifically in vending zones to state the nature of vending that can be undertaken from there.

But still, recently, 2 months back hawkers have been evicted from the newly inaugurated vending zone by the Mayor of the City and for the extension of roads

In Odisha, there is nothing like Self Help Groups among the Vendors to support each other financially and even the government has not linked up them with other credit society like SIDBI, CGFSI. The hawkers are not getting any benefits under any Social security schemes

of the state. The Odisha government has not started any scheme or training programme under the National Urban Livelihood Mission of the Central government.

The street vendors resolve their disputes with the open discussion and meeting although institutions like grievance redressal are there to intervene.

Chhattisgarh:

In Chhattisgarh, State government has not adopted the National Act of Street Vendors 2014 although the government has implemented City Vendors and Hawkers Bylaws 2010.

Town vending has not been formed in Chhattisgarh and people are also not aware of it. They also don't know about the Hawkers representation in TVC.

Few years back the ULB had conducted a survey of street vendors for their identification but not completed it but after the Central Government's instruction, the ULB has restarted this survey. In Raipur, hawkers are allowed to do vending behind the marked yellow line on roads and vendors cannot cross that line. If they do so then have to pay penalty to the concerned department. There is nothing like timing system for hawking and they are allowed to do full day vending. Although at some places hawkers are allowed to do hawking on particular day (Weekly Markets). In Railway premises nearby stations hawkers are not allowed. The Municipal Corporation has provided the civic facilities like parking, electricity and toilets facilities are available at some places, but there is no dustbin area for the disposal of waste materials.

The Municipal Corporation charges fines on vendors who object the rules & regulation of hawking in Raipur. Police department seizes their goods and charge fined from hawkers too. Even though the Central Act, 2014 says that no hawkers' eviction shall be done without survey, registration and proper rehabilitation and this also with the consent of vendors, still in Raipur hawkers are being evicted forcibly. Recently, 60 vegetable sellers, 15 cart vendors were evicted from Evergreen Chowk.

In hawking area or road side social stratification among hawkers can be seen. Hawkers belonging to higher class have captured good place and lower caste vendors are allowed to do vending on backside. Hawkers are not allowed to do vending in some areas of Raipur city and some are doing hawking in more than one space and few hawkers has sold their space to other vendors. Hawkers are in a vulnerable condition because they are not getting any benefits from hawkers unions, cooperative or societies. They are also not linked with the credit societies like SIDBI or CGFSI.

Food vendors are getting certificate from Food & safety standard dept. to insure the food which they would sell are hygienic under the Food safety & security Act. Children are also involved in hawking in Raipur and most of the parents engaged them.

Street vendors of Chhattisgarh are not getting any benefit under any social security schemes of central government but old age vendors and widow vendors are getting benefits from state government's old age pensions schemes and widow pension schemes.

In Chhattisgarh there is need to set up a government body who will monitor the implementation of the street vendors act 2014.

4.

ANALYSIS OF THE STATES' RESPONSE TO THE SUPREME COURT ORDER

On 9th September 2013, Supreme Court of India has given an order to all Union Territories and States Chief Secretaries to follow National Street Vendors Policy 2009 and formulate Town Vending Committee in every district of the states. It also directed to conduct Survey of the Hawkers and registered them in order to allot identity card to Hawkers within four month from the order date. Although the Supreme Court's ordered more than this but all the above States & Union government has failed to execute the Court Orders.

YUVA Urban & National Hawker Federation filed contempt cases in Supreme Court in this regard and then the Supreme Court asked all states the states & UT about the status of implementation of order then states responded to the Supreme Court.

Chhattisgarh

Chhattisgarh	State Government Response	Union's Response
Town Vending Committee Formation	Out of 234, 26 Municipal Corporation and 202 Municipal councils have so far constituted TVC within their jurisdiction.	In Chhattisgarh, TVC has not been constituted as per the rule of 2009 Policy and Supreme Court order.
Registration	Registration of Hawkers has been Started	Nothing happened
Vending Zone/Non Vending Zone	Nothing mentioned about it	Nothing happened

Survey	Survey Process falls under various urban areas falling within the jurisdiction of various Municipal Corporations/Councils. Hence it requires some time to complete this process.	Nothing happened
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Jharkhand:

Jharkhand	State Government Response	Union's Response
Town Vending Committee Formation	Order passed by the State administration to form Town Vending Committee.	Only one corporation and One Municipality formed town vending Committee in Jharkhand.
Registration		Nothing happened
Vending Zone/Non Vending Zone	State government has directed to ULB under the Provision Jharkhand Hawker's Act 2011 to identify the Vending Zone.	Nothing happened
Survey		Nothing has happened

Bihar:

Bihar:	State Government Response	Union's Response
Town Vending Committee Formation	The Urban Development and Housing Department has already constituted TVC under the Bihar State Vendors Act 2012. a) Nasvi has been appointed as the field agency for the formation & establishment of	To appoint any other agency (Nasvi) as field agency is illegal. It should not be considered.

	<p>42 town level federations and 1 state level federation.</p> <p>b) UDHD has issued guidelines to all ULBs defining the expected roles of the Town Vending Committees specifically on physical survey of hawkers.</p> <p>c) The secretary of UDHD addressed to all the DM has directed for the nomination of the representatives of NGO's, CBO and Hawkers association etc.</p>	
Registration	The secretary has asked all ULBs to comply with orders within stipulated time period for survey and registration.	Nothing has happened
Vending Zone/Non Vending Zone		Nothing happened
Survey	<p>a) Survey of 28 towns in 2009-2010</p> <p>b) Survey identified 1,51,315 in these town</p>	Nothing happened

Odisha Government & West Bengal Government has not replied anything on Supreme Court Order.

5.

Recommendations

During the process, interactions and interviews were made with various government agencies and street vendors' organization and on the basis of those; the following recommendations are being suggested:

1. The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 should be implemented all over country on a higher note.
2. There should be a Central Model rule to implement Street Vendors Act in every states and Union Territory.
3. A Central monitoring task force must be constituted by the Government of India in order to monitor the implementation of Street vendors Act.
4. A special Hawkers Board should be constituted to provide social security schemes to Street vendors/Hawkers.
5. Street vendors/Hawkers should be included in Rashtriya Swasthya Bema Yojana (RSBY) and under the Employees' State Insurance (ESI).
6. Housing should be provided to all Street vendors/Hawkers under Rajiv Awas Yojana (RAY) and Jawaharlal Nehru National Urban Renewal Mission (JNNURM) or any other newly proposed housing scheme of Central or States.
7. Municipal corporations should formalise all the street vendors by forming Town Vending Committee (TVC).
8. Municipal corporations/TVC should ensure better facilities for hawkers earning their livelihoods in public spaces such as greater penetration of good public toilet facilities (one for every 250 meters radius) and a more timely garbage disposal system. Public taps should be installed close to every major crossing. Broken pavements and other faulty public infrastructure which come under the purview of the municipal corporations and other government departments should be repaired on a timely basis.
9. Car and auto parking should not be allowed on narrow streets.
10. All street vendors / hawkers shall be registered. The process of registration must be completed by the municipal authorities across the country within four months of the receipt.
11. No evictions/relocation of hawkers before the survey.

6.

Conclusion

After the detailed analysis of the status of the implementation of the Central Street Vendors' Act, 2014, the above findings were derived. In all the states it has been found that no state has completely and appropriately implemented the Central Street Vendors Act, 2014. Despite the continuous demand of the vendors, the government authorities have turned blind eye towards them and have been ignoring the implementation of the same. Due to this the vendors are still facing forceful evictions and even after the long years of struggle, they have yet not been able to establish their rights to secure their livelihood. They are still the vulnerable section in regard to the insecurity of livelihood and also as because they have to pay huge bribe in order to sustain their work space.