

# ht for mumbai

HAWKING IN MUMBAI

CONCLUDING PART



RECENT EVICTION DRIVES AND THE BMC'S INABILITY TO KEEP VENDORS OFF CITY STREETS HAVE BROUGHT THE ISSUE OF HAWKING INTO FOCUS YET AGAIN. IN A 4-PART SERIES, HINDUSTAN TIMES WILL LOOK AT HOW THE PROBLEM HAS ESCALATED, REVIEW GOVERNMENT MECHANISMS AND SUGGEST POSSIBLE REMEDIES

## Policy should cater to all sides

**SMARTER STREETS** BMC must involve hawkers, residents while framing a detailed policy that treats them as equals, say experts

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**MUMBAI:** The civic body's inability to come up with a cogent policy on hawking has effectively pitted two sections of the city's population against each other — the locals and the hawkers.

Residents need and use the wares, but don't want to deal with hawkers in their localities. Hawkers are drawn to where there's a demand for their goods, but face the fear of being penalised every day.

To placate pedestrians, the Brihanmumbai Municipal Corporation (BMC) conducts sporadic, convenient eviction raids. The hawkers on their part, suffer the consequences, then make a nonchalant return to the same spots a couple of days later.

The solution — a comprehensive policy, planners and activists say, will have to recognise the rights of both groups, and treat them on par with each other.

**WHO MATTERS MORE?**

Ironically, both these stakeholders have been left out — in the urban planning process, and when the regulations for hawkers were being framed. As a result, the BMC's method of tackling hawkers — conduct a sudden raid, seize the goods, let hawkers return — has resulted in an organised mess on the pavements.

Cynicism is rife, with both hawkers and pedestrians left dissatisfied. "Hawkers cannot be located on pavements as they are meant only for pedestrians. We don't oppose the relocation of hawkers, but it needs to be done in a planned manner. Hawkers and pedestrians cannot co-exist," says Ashok Rawat, from the G North Ward Federation, a citizens group.

But activists and experts don't hold as extreme an opinion. "We need to realise that we do not have a choice. Both hawker and pedestrian rights are equally important. Both sides will have to compromise," says Rohit Shinkre, an urban planner and joint principal of Rachna Sansad College of Architecture.

Even the Supreme Court, in a 1989 order recognised the role of hawkers in an urban setting and reiterated their right to earn a livelihood.

**A RESOLUTION IS POSSIBLE**

Ashok Datar, transport analyst with Mumbai Environmental Social Network, believes a harmonious co-existence is achievable. "Both hawking and car parking are less-than-ideal uses of public spaces, but they cannot be wished away. We will have to design our footpaths in a way to accommodate both hawkers and pedestrians comfortably."

Shinkre disagrees: "Our hawkers' policy will have to be dynamic and focus on micro aspects. We cannot have a blanket regulation for hawking on footpaths. We have to look at each pavement and decide on its merits."

Many like Rawat, however, feel that in a city with shrinking pavements, pedestrians could be the ones to lose out, because despite their large number, they do not have a cohesive political lobby that hawkers do in the form of unions.

**INVOLVEMENT IS THE KEY**

A major reason for the BMC's failure to regulate hawking is the lack of a participatory mechanism for everyone involved, including pedestrians, motorists and hawkers themselves.

The National policy on urban street vendors, 2009, has made it mandatory for local bodies to come up with a town vending committee (TVC) to regulate hawker issues. This body is supposed to involve representatives of the hawkers as well as members of citizens' groups

"Hawkers need to be consulted before plans for their 'uplift' and regulation are made," says Mecanzy Dabre, convener of the National Hawkers Federation. "The reason repeated plans to regulate hawking have failed is because they did not involve hawkers and take into account ground realities."

Various not-for-profits working on the issue have also recommended that hawkers be integrated into the revision of the city's developmental plan. "If we count the number of people directly and indirectly dependent on hawking, it's a staggering 15 lakh. If the BMC decides to ignore such a large chunk of the population, how is any future blueprint going to be successful?" asks Aravind Unni, architect and planner with YUVA.

**A LOCALITY THAT GOT IT RIGHT**

Nearly 15 years ago, hawkers from Santacruz (West) came together and adopted a model to ensure that both hawkers and pedestrians have enough space. Large footpaths were cleared of all hawkers and encroachments. Hawkers were located on both sides of the footpath, with a passage created for pedestrians and prospective consumers in between. The footpath was barricaded with iron rails from both sides so that hawkers wouldn't spill out on to the roads.

**FAILED ATTEMPTS AT FIXING HAWKING PROBLEM**

**VERTICAL PLAZA**

The BMC decided to build a first-of-its-kind, 5-storey hawkers' plaza at Dadar to relocate hawkers from Dadar's streets. Although it was constructed in 2001, there was no provision for an elevator. This was a deterrent to customers and an inconvenience to hawkers. The plaza now lies unoccupied.



**PAY-AND-HAWK**

In the late 1980s, the BMC initiated a scheme under which it started issuing daily receipts to hawkers, which would enable hawkers to sell their wares for the day. This was for both permit-holding hawkers as well as illegal ones. But after citizens' groups complained that this amounted to legalising illegal hawkers, the civic body scrapped the system.



After heated altercations, hawkers and pedestrians outside Santacruz station came up a way to keep the streets orderly, at least temporarily. SATISH BATE/HT

**NO UNION TO BACK THEM, PEDESTRIANS ARE RARELY INVOLVED IN DECISION-MAKING**

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**MUMBAI:** In the battle for pavement space in the city, pedestrians often lose out to the more united hawkers' lobby.

A study done in 2006, called the comprehensive transport study, pegged the number of pedestrian trips undertaken every day in the Mumbai Metropolitan Region at 1.5 crore. Another study by MMRDA in 2008 showed that up to 53 per cent of all commuter trips in the city are on foot — people walk distances up to three kilometres.

However, pedestrians have rarely been planned for. Even as deliberations are on in the civic body about the need to rehabilitate the hawkers on city pavements, no one seems to be asking pedestrians what they think.

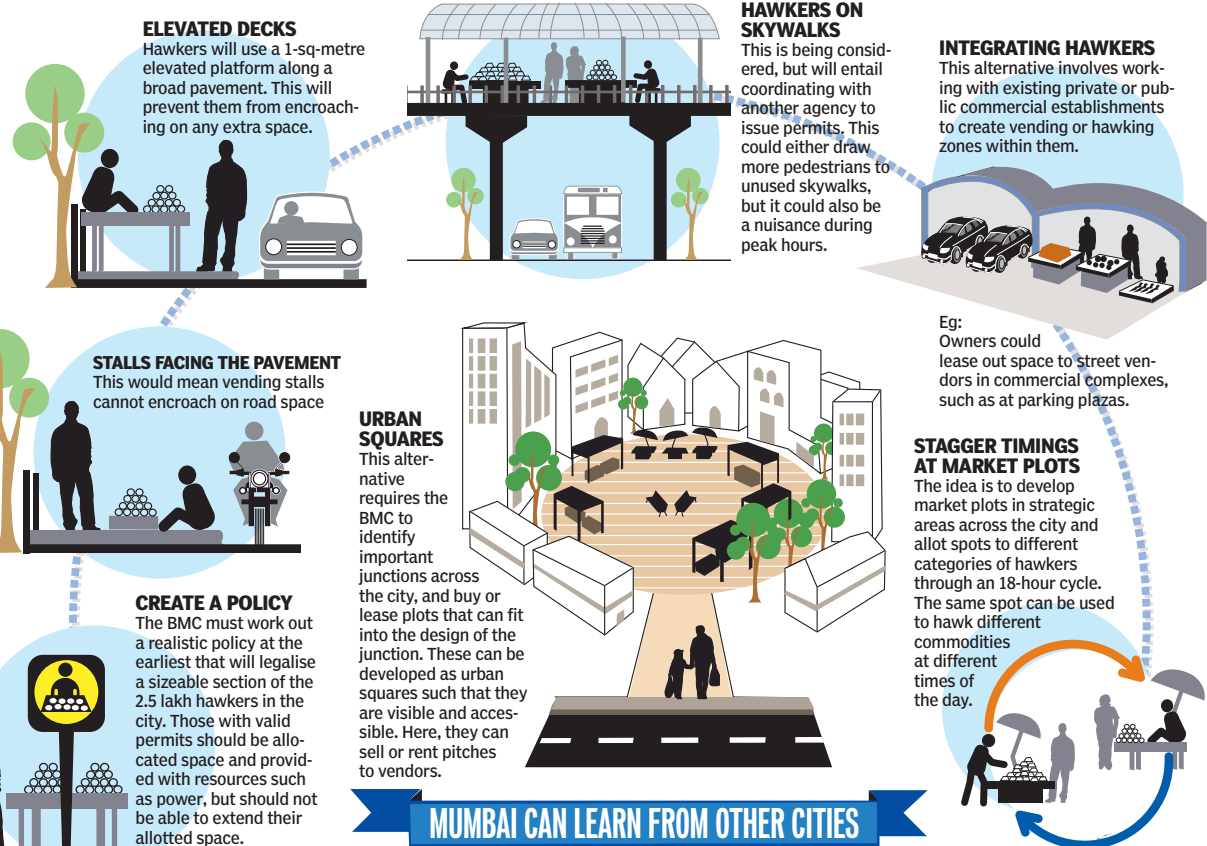
The Brihanmumbai Municipal Corporation (BMC) has made pavements a necessity on the new roads it develops. However, lack of maintenance followed by constant encroachments means that these pavements seldom serve pedestrians.

Rishi Aggarwal, a part of the Walking Project, which raises issues of pedestrian advocacy, said, "Pedestrians in the city have generally got a raw deal as far as being counted as stakeholders is concerned. However, this is slowly changing. Pedestrians have to raise their voices against any inconveniences they suffer."

Many believe that while consultation is low, pedestrians should adapt to the needs of the city. For instance, Krishnaraj Rao, an activist who had launched a movement in 2008 to reclaim the city's pavements for pedestrians says that pedestrians should be ready to accommodate hawkers. "Hawkers exist because pedestrians need them. Hence, having an elitist attitude and wanting to get rid of them is not the right way to go. Hawkers and pedestrians must reach a compromise."

Citispac, a not-for-profit that dragged the civic body to the Bombay high court in 1998 over the non-implementation of Supreme Court guidelines on hawking, had taken up the cause after pedestrians raised concerns over the city's vanishing pavements.

**ALTERNATIVES BEING CONSIDERED**



**ELEVATED DECKS**  
Hawkers will use a 1-sq-metre elevated platform along a broad pavement. This will prevent them from encroaching on any extra space.

**HAWKERS ON SKYWALKS**  
This is being considered, but will entail coordinating with another agency to issue permits. This could either draw more pedestrians to unused skywalks, but it could also be a nuisance during peak hours.

**INTEGRATING HAWKERS**  
This alternative involves working with existing private or public commercial establishments to create vending or hawking zones within them.

**STALLS FACING THE PAVEMENT**  
This would mean vending stalls cannot encroach on road space

**URBAN SQUARES**  
This alternative requires the BMC to identify important junctions across the city, and buy or lease plots that can fit into the design of the junction. These can be developed as urban squares such that they are visible and accessible. Here, they can sell or rent pitches to vendors.

**CREATE A POLICY**  
The BMC must work out a realistic policy at the earliest that will legalise a sizeable section of the 2.5 lakh hawkers in the city. Those with valid permits should be allocated space and provided with resources such as power, but should not be able to extend their allotted space.

Eg: Owners could lease out space to street vendors in commercial complexes, such as at parking plazas.

**STAGGER TIMINGS AT MARKET PLOTS**  
The idea is to develop market plots in strategic areas across the city and allot spots to different categories of hawkers through an 18-hour cycle. The same spot can be used to hawk different commodities at different times of the day.

**MUMBAI CAN LEARN FROM OTHER CITIES**

**BHUBANESHWAR, ORISSA**  
One of the first few states to include hawking in its urban planning, Orissa has reserved 3% of its pavement space for hawking. The zones have committees which have hawker unions as representatives. These zones also include a parking space for customers.

The Bhubaneswar Municipal Corporation has erected uniform steel stalls for vendors, the cost of which is shared by the corporation and the hawkers. It also provides water connections to hawkers.

**IMPHAL, MANIPUR**  
The state's town planning act, 1975, makes provisions for street vending. According to the act, there need to be 10 street vendors and three shops for every 1,000 persons.

**KOLKATA, WEST BENGAL**  
The city started evolving its hawking policy in 2006. The Kolkata Municipal Corporation framed a policy in which it was decided that 1/3rd of every footpath would be reserved for hawkers, while the rest of the space would be strictly for pedestrians. Hawkers would not be allowed to build permanent structures. The Mayor formed an Apex committee of 28 members, of which 21 are hawkers' representatives. Experts hailed this policy, but it is currently stuck in the high court.

Source: YUVA status report on hawkers, 2009; Street Vending in Ten Cities in India, 2010; Conducted by Sharit Bhowmik & Debudul Saha; Integrating street vendors in city planning by Shreya Dalwadi

**THE NATIONAL POLICY OF URBAN STREET VENDORS 2009**

This lays down a number of recommendations to integrate hawking into an urban setting. The basis for the policy is that hawking cannot be wished away in large urban settings where they serve citizen needs.

- Demarcation of 'Restriction-free Vending Zones', 'Restricted Vending Zones' and 'No Vending Zones' specific to each city/town.
- A time-sharing model to accommodate various hawkers/vendors in the same market plot at different times.
- Temporary markets such as night bazaars, festival bazaars or commodity-specific bazaars (such as fruit bazaar, flower bazaar) on selected days.
- If illegality is noticed, a hawker should be given a notice, fined and only evicted if the illegality persists. Seizing of goods should be the last resort.
- Mobile vending should be allowed even in areas which are outside hawking zones
- Weekend and weekly markets in public open spaces should be promoted.
- The hawkers policy should take into account natural markets where crowds congregate
- The city's development plan must have provisions for new marketplaces
- Involve hawkers in implementing hawking schemes
- Town Vending Committees should be created by the civic bodies and involve hawkers, activists, NGOs and officials.
- A regular census of the street vendors should be conducted.
- Each vendor should be registered and identity cards should be given

**talktous**  
Are hawkers a necessity or a menace? Do you think the BMC has complicated the issue over the decades or tackled it correctly?  
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**whattheysay**

**"Pavements cannot be a permanent option for rehabilitating hawkers. In a space-starved city like Mumbai, pedestrians need the space to walk and that is a no-compromise zone."**  
VIDYA VAIDYA, member of Citispac, a citizens' forum

**"Hawkers have to form an integral part of the development plan. Unless ones ensures they are mapped and makes provisions for their rehabilitation in the DP, the process will be flawed. It has to begin with marking them in the land use maps."**  
PANKAJ JOSHI, executive director, UDRI

**"It is difficult to achieve a balance between the pedestrians' and hawkers' rights on the pavements. However, it is definitely not impossible and must be done so that both the stakeholders stand to gain."**  
ASHOK DATAR, from the Mumbai Environmental Social Network