In Issue No. 124 of MANUSHI we had published a report on the plight of street vendors in Delhi based on investigations carried out by MANUSHI as well as the facts that emerged during a Lok Sunwayi (Public Hearing) of street vendors organized by MANUSHI on June 25, 2001. A similar exercise was carried out for Delhi’s cycle rickshaw pullers and operators. The story of harassment, extortion and systematic violation of human and constitutional rights that emerged out of this process, received some amount of press publicity. The Prime Minister himself took suo moto notice of the grievances of these two groups of urban self employed poor and a New Policy was drafted by the PMO to free street hawking and the rickshaw sector from the deadly stranglehold of the License-Quota-Raid Raj. In a letter dated August 23, 2001, the Lt. Governor of Delhi was given firm and clear instructions that the New Policy reform must seek to eliminate the scope for rent seeking and harassment by the licencing and enforcement officials. Far from implementing the New Policy with sincerity, the administration has used both overt and covert means to sabotage the New Policy.

The salient features of the PM’s policy are as follows:

- The existing restrictive system which provides for fixed and unrealistic quotas for the number of rickshaws and vendors which have a legal permit to operate in Delhi, must be scrapped forthwith.
- The metropolis may be divided into “green”, “amber” and “red” zones, signifying free access, fee based access and prohibited access, respectively.
- Restrictions on street hawking/ cycle rickshaws may be specified in minimal terms.
- There must be an absolute prohibition on municipal and police authorities from impounding, destruction or seizure of rickshaws or goods and equipment of street vendors.
- Any person who wishes to be a street hawker or cycle rickshaw puller may do so by a simple act of registration.
- The registrations may be renewed (say, once a year) by a payment of a modest renewal fee. The sole purpose of the registration is to provide reliable identification. There must be no numerical limits on registrations.

However, following the announcement of the Prime Minister’s New Policy, confiscation of goods, rehdis and rickshaws is being carried out with greater ferocity; “Clearance Operations” have not stopped. On October 2, 2001 the day celebrated as Mahatma Gandhi Jayanti, MNAM felt constrained to organize a massive aagrah pradarshan (mass demonstration) at the Lt. Governor’s office to press for the implementation of the New Policy. (Detailed report in Issue No.126.) That too failed to evoke a positive response from the city administration. Therefore, our battle to get this New Policy to replace the existing laws and regulations continues on various fronts.
One of the excuses used by municipal authorities to carry out “Clearance Operations” involving forcible removal of street hawkers and confiscation of their goods is that vendors create urban chaos and squalor, that they obstruct the smooth flow of pedestrians and traffic. In short, even though street hawkers provide invaluable services for urban consumers, the government treats them as an unwanted nuisance and denies a legal status for their trade.

Our city administrations act on the assumption that if hawkers are given even a slight measure of security, they will start encroaching more and more on public spaces and make governance impossible. In fact, it is the shortsighted government policies which are responsible for the squalor and chaos typical of urban centres in “modern” India, rather than the presence of hawkers.

Confiscating the goods of hawkers for “encroaching” on roads and pavements is like legislating that pedestrians will be arrested and put in jail for not using pavements, without the municipal administration providing any pavements. Since there are no legal spaces provided for hawkers, despite the growing and pressing demand for their services, they have no choice but to “encroach”. They are considered to be illegal everywhere. This illegal status of hawkers is then used by the police and municipal authorities as a weapon of extortion, harassment and humiliation. (For details see MANUSHI No 124, *Bribes Beatings and Blackmail: Lok Sunwayi of Delhi’s Street Vendors*)

Data collected by MANUSHI on the basis of interviews with street vendors from dozens of hawker markets of Delhi showed that the nearly five lakh hawkers estimated to be working in Delhi are being forced to pay at least Rs. 40 crores a month by way of bribes in cash and kind to the police and municipal officials. Much of this money could well reach the municipal coffers by way of taxes. Instead it is lining the pockets of corrupt officials and anti-social elements.

A good part of the chaos in urban markets is also due to the fact that the local police and their touts do not allow market discipline to emerge through self-regulation. Wherever and whenever hawkers have tried to bring order and discipline, the police and their touts intervene to thwart all such efforts. For example, in a market of West Delhi, we found that a group of nearly 200 hawkers selling fruit and cooked food are well organized and position themselves discreetly on a part of the pavement in a way that they do not cause any obstruction for traffic. These people too have to pay regular bribes but have acquired a measure of discipline on account of internal cohesion and long years of experience in the trade.

However, some new entrants into the occupation have been allowed by the police to install their rehdis right at the main chowk area which is a very busy intersection of four major heavy traffic roads. Those who are willing to pay higher bribes to the police are allowed and encouraged to position themselves in prominent spaces, even if it means causing genuine obstructions for other road users. Those who enjoy special patronage of the police or act as their touts, refuse to submit themselves to market discipline. This is specially borne out

**The chaos in urban markets is due to the fact that the local police and their touts do not allow market discipline to emerge through self-regulation.**

Along with a fresh new *Jhadu* kept in the center of a platform were idols of Lord Ganesh, goddesses Lakshmi, Saraswati and Durga.

**MNAM members applying tilak to the sacred Jhadu**
by MANUSHI’s experience of trying to bring self-regulation in Sewa Nagar market of South Delhi and develop it as a model market.

On December 19, 2001, the Sewa Nagar unit of Manushi Nagrik Adhikar Manch, MNAM (Manushi Citizens’ Rights Forum) began a new initiative with an innovative ceremony named Jhadu Pooja (Worship of the Cleaning Broom) in Sewa Nagar Hawker Market. Along with a fresh new Jhadu kept in the center of a platform erected for this purpose were idols of Lord Ganesh, goddesses Lakshmi, Saraswati and Durga. This ceremony inaugurated a new phase in MNAM’s mobilization of street vendors and resolve to free them from the parasitic hold of the police, municipal authorities and other government agencies that harass and fleece them.

Traditional poojas start with offering of prayers to Lord Ganesh—who symbolises auspicious beginnings and is seen as a “remover of obstacles” — Vighnaharta or Vighneshwar. But we began ours with worship of the Cleaning Broom because it represents MNAM’s resolve to work for clean and healthy physical environment as well as desire to cleanse the system of governance in India which has become synonymous with corruption, sloth, inefficiency and tyranny.

Armed with that resolve we sought the blessings Lord Ganesh, the obstacle remover, and of Lakshmi, the goddess of wealth who cannot be expected to dwell in unclean and unhygienic environments. A well maintained clean market is bound to bring more business to Sewa Nagar hawkers and enhance their incomes. We also prayed to the goddess of wisdom and arts— Saraswati— to bless MNAM members with the foresight and astuteness to build their inner organizational strength. We believe that self-regulation will strengthen the inner unity of vendors who might then be better able to resist extortion by the police and municipal employees, thereby upping their incomes substantially. But for that to happen, they need the wisdom to avoid quarrels and conflicts between themselves which are cleverly used and manipulated by those who have a stake in keeping them divided against each other and, therefore, easy to terrorise and fleece. Finally, we prayed to Mother Durga— the vanquisher of evil—that she give us the strength and power to combat the forces of evil that engulf the lives and livelihoods of street hawkers today.

Since the market has a number of Muslim hawkers as well, the ceremony began with the reading of kalma— prayers offered by Muslims for invoking divine blessings as per their religious traditions. Both Hindus and Muslims joined together in these rituals and ceremonies without the slightest hesitation, united as they were by the secular symbol and ritual involving the Cleaning Broom. None among the Hindus objected to a Broom being treated as a more sacred and reverence worthy object than all the gods and goddesses put together.

The idea of the Jhadu Pooja was to drive home the message that ensuring cleanliness and hygiene of our immediate, physical environment are sacred duties of every citizen, that this task should not be looked upon with disdain and handed over to lowly paid sweepers, who are treated as untouchables for performing this vital service for society.

Since the rest of society looks down upon the task of cleaning, the sweepers too do not respect their occupation. This is an important reason why there is so much filth and utter disregard for sanitary health in India. Hence, the importance of respecting the tasks of maintaining sanitation and hygiene, at least in our own environment through our own efforts, discipline and self organization, rather than depend on the highly inefficient and inadequate services provided by municipal bodies in India. In most markets in Delhi, the...
municipal sweepers who hold permanent jobs and are highly unionised also go around collecting bribes from street hawkers, without actually performing the task of cleaning that they are employed for. (see box on page 10) Each hawker cleans the little spot of land that he stands on at the start of the day. The sweepers simply come and take bribes for not cleaning. If the money is refused, they threaten to have the hawkers removed by complaining to the Health Department of the municipal body. No hawker dares invite the wrath of the ‘humble’ municipal sweeper because as a permanent job holder in the vast extortion racket set up by government employees, he too has enough nuisance value and clout to jeopardize the livelihoods of the vulnerable street hawkers.

Under this dispensation, no matter how much individual hawkers may try to keep the particular spots they use for their trade clean, there is no one to ensure the overall sanitation and cleanliness of the market areas. If it weren’t for non-sarkari garbage pickers who take away a good proportion of waste and sell it for recycling, our cities would be buried under garbage since municipal authorities show little inclination to undertake from all our members that they would do daily cleaning and maintenance of the market themselves. On December 23, we held a ceremony of drawing a Sanyam Rekha (Line of Self Discipline) in green paint after consensual agreement among a majority of hawkers that they would not allow their rehdis or wares to cross the Sanyam Rekha. Each hawker has paid Rs. 500 for the initial corpus amount is being demanded of them. Our attempts at building a culture of self-discipline, respect for cleanliness and consideration for other users of road space are sought to be thwarted by touts using threats of violence and eviction. It is distressing that these anti-social elements are confident of police complicity while we are being threatened. Developing Sewa Nagar as a model market involves substantial investment of time, effort and money. If the authorities decide to swoop down on this market and confiscate the goods and rehdis as they are prone to do during “Clearance Operations”, this would lead to serious demoralization. MNAM will then not be able to enthuse others into following the Sewa Nagar model. Therefore, we approached the High Court for following reliefs:

- Stay order on removal of hawkers or confiscation of their goods from Sewa Nagar Hawkers Market and instructions to the MCD to assist MNAM in developing it as a role model among markets in India by providing the necessary infra structure.
- Direct the Delhi Vidyut and Jal Boards to provide regular and legal electricity and water connections for these markets so that hawkers are not forced to pay exorbitant sums for illegal connections and made to feel like thieves even though they are paying far more than the well-off consumers who are provided regular, legal connections. Currently each hawker is paying at least
Provide similar protection and civic amenities to other hawkers’ markets that are willing to abide by the rigorous norms of self-discipline and self regulation set by MNAM.

A temporary stay was granted by the High Court against eviction of Sewa Nagar hawkers up to January 18 but the threats of removal and extortion continue.

A team of architects led by Prof. Anubha Chakravarty of the School of Planning and Architecture and Asmita is helping us redesign and upgrade the Sewa Nagar market. Prof. Geetam Tiwari of the Transport Research and Injury Prevention Programme of the Indian Institute of Technology, Delhi, is also assisting us in this endeavour. We are in the process of working out detailed plans, that include garbage recycling, rational waste disposal as well as upgradation of the rehdis used by vendors and making shopping in that area into an aesthetic experience.

Each vendor has contributed Rs.500 each towards this effort. We have already collected Rs.50,000 and we hope to raise another Rs.30,000 from Sewa Nagar hawkers. Most of the vendors are cleaning up the place themselves at least four times a day.

**Appeal For Support**

MANUSHI is committed to raising additional funds required for this effort that includes paving, beautification and painting of walls and greening the area. It is estimated that we will need nearly 5 lakh rupees. The first donation of Rs.10,001 towards the Sewa Nager fund came from Dr. Anantha Nageswaran.

We solicit your support in this effort. Even small contributions will go a long way in keeping the momentum going and our morale high. Equally important, we need volunteers from Lodhi Estate and residents of nearby colonies, especially Defence Colony who regularly use this market to join in monitoring this effort. The visible vigilance by educated, middle and upper class people will also help keep the police under check.

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**Raids, Bribes and Confiscations**

*A Report on the Sewa Nagar Hawkers Market, Delhi*

Economists tell us that the process of economic liberalization was initiated in the decade of 1980’s with Rajiv Gandhi and gathered momentum in the 1990’s under Narasimha Rao’s premiership. The BJP led alliance is supposed to have given the process still greater impetus.

The sure shot litmus test for the success of economic reforms in any sector is whether or not the bribe rates have gone down for people working in that sector. As far as the street vendors and other such self employed groups are concerned, the extortion through needless bureaucratic interventions became far more deadly during the 1990’s. The stranglehold of the License-Quota-Raid Raj has been strengthened in recent years even while there is so much hype about delicensing industry and de-bureaucratising our economy.

To illustrate from the experience of a vibrant hawker market in South Delhi called Sewa Nagar: in the early 1980’s, most vendors here were paying Rs.30 a month to the police and Rs.20 to MCD inspectors as “protection money”. Some who earned better were paying more, and many paid Rs.2 a day rather than a fixed monthly rate. By 1990, the bribe rate had increased to Rs.300 a month with Rs.200 going to the police and
Rs.100 to the MCD. The Health Department did its own collections from those vending cooked or semi-cooked foods. So did the drainage department people who charge a separate fee from those vendors located near the big Sewa Nagar nala (drain). By 1995, most vendors were being fleeced of Rs.500 to Rs.1500 per month depending on the size of their business. During the 1990’s, the frequency of municipal raids kept increasing, producing greater insecurity among these people. Our film—Licence-Quota-Raid Raj—A View from Below, captures some of the raids and confiscations during the mid 90’s.

**Consistent Economic War**

Raids and Clearance Operations take two forms: partial or total removals. Partial removal means the MCD or NDMC or Police come and forcibly confiscate the goods of a few vendors and move on. These take place on a regular basis. In areas like Connaught Place, many vendors have their goods confiscated on an average of about once in 8-10 days. A total “Clearance Operation” means the entire market is removed, including any temporary structures that may have been constructed. There are times when these street traders are allowed to set up shop within hours of the raid. However, there are times when they take weeks or even months for the vendors to re-establish themselves. Taking the Sewa Nagar example again: a couple of years ago, when Sewa Nagar market was bulldozed, most of the vendors remained unemployed for about six months. They were allowed to re-settle only after a couple of lakhs were siphoned off from them in a lump sum and the monthly bribe rate raised. Another major “Removal Operation” took place on April 12, 2001. In between, there were numerous small raids whereby each time a certain number of vendors were targeted for confiscation of goods.

In December 2000, there were some press reports that the Lt. Governor of Delhi had called a special high powered meeting in which he handed over the primary responsibility of taking strict action against vendors and other “illegal encroachers” on public land to the police to send the message that the administration was dead serious about clearing up the city. Carrying out “Clearance Operations” is normally the job of the municipal authorities; they can call in the police to assist them. This role reversal gave added powers to the police, which came to be used in the only way the police have perfected using them— to collect bribes. In Sewa Nagar and other markets, vendors were discreetly informed in early January that there were “strict orders from above” to remove all the hawkers from the city as part of a “clean up operation.” But they were given to understand that they could be saved if each one agreed to pay up between Rs.1000 to Rs.1500, in addition to the regular monthly bribe they were paying. Nearly Rs.2 lakh extra were thus
collected from the nearly 200 vendors that operate in Sewa Nagar market in the month of January. However, their reprieve was short lived. On April 12, the MCD and the police attacked this area with full force, confiscated the goods and rehdis of some vendors who could not run away in time and bulldozed the vending stalls out of existence. Several of them managed to run away and save their stuff from being destroyed. Anyone who resisted risked being beaten up by the police.

**Hostage to Politicians**

After the April 12 raid, no quick settlement could be arrived at because the “Clearance Operation” got mixed with party politics and also because several vendors resisted the sharp escalation being demanded in the bribe amount. After about four weeks, when the anxiety of the vendors turned into desperation, the police began to allow those few who were willing to pay Rs.30 per day to set up their rehdis (push carts) again. These few also happened to be those who were believed to be loyal to the local Corporator, who has been elected from this same area for the last several years.

He had let it be openly known that he would not allow all those vendors who had failed to turn up for all his party rallies and were not confirmed voters of his party to operate in Sewa Nagar market. Not that the uprooted vendors were confirmed supporters of any rival party. They had been to several rallies and generally tend to obey the commands of the Corporator of the ruling party in the hope of getting a small measure of protection. A few also happened to be supporters of the rival political party. Attending rallies usually means losing the day’s income—not an easy proposition for those live and earn from day to day and do not have security of livelihood. It took five months of tireless efforts by MANUSHI before we could get this group of vendors rehabilitated.

**Myth of Legality**

The Corporation officials pretend that during such “Clearance Operations” they remove the “illegal” encroachers. The truth of the matter is that even those who have licensed stalls are not spared during such “Clean up Drives”. For example, the solitary tehbazari (legal licence) holder in Sewa Nagar, Rajeshwar, was also forcibly removed every time there was a Demolition Drive as the one that took place on April 12, 2001 in Sewa Nagar. Rajeshwar sells readymade garments for little children. He was given a tehbazari in July 2000 after getting clearance from the Chopra Committee set up by the Supreme Court to give permits to those who passed a tough eligibility criteria. Rajeshwar admits he succeeded in getting this precious document, while much older vendors were denied that permit, because he is an old worker...
of the Rashtriya Swayam Sewak Sangh (RSS)—the parent body of the Bharatiya Janata Party. This affiliation meant he had relatively easier access to the local MP and MLA, both of whom happen to be BJP men. They supported his case with the administration in getting him a tehbazari. And yet, despite his political connections, on April 12, 2001, he too was driven out of the market with violence when they went on their demolition, loot and destruction drive. At that moment, he did not dare resist for fear of getting more beatings. In the evening, he tried putting back his rehdi in its usual spot. But the policemen guarding that area showed him the danda (stick). He pleaded with them that he had a valid permit through Supreme Court orders. They said those papers meant nothing to them. So next day he went to the Corporation office and asked for their intervention. The only advice they had was: “Go show your documents to the police.”

**Groveling and Petitioning**

He returned to Sewa Nagar and again pleaded with the concerned Beat Officer as well as the Sub-Inspector of the thana (police station). They told him he had to go and get a written order from the Deputy Commissioner before they would allow him to resume his trade. So Rajeshwar began another round of pleading and petitioning in various government offices. He went and met the Administrative Officer who told him: “What more can I write, after having issued you a tehbazari? If the police does not honour a permit issued by the Corporation at the behest of the Supreme Court, what guarantee is there that they will honour any other piece of paper we issue you?” His final word of advice was to use the one and only code that

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**Blackmailed Even by **Sarkari** Sweeper Food Sellers: Special Targets**

Hawkers who sell cooked food are among the most vulnerable to extortion and blackmail. Since they carry cooking equipment as well as heavy vessels for storing food, they are not able to run away fast when the Municipal Corporation of Delhi (MCD) vehicles come for removal and confiscation of their goods and rehdis (push carts). The MCD Health Inspectors are a particularly nasty source of harassment for the food hawkers. Under the pretext of checking “health hazards” posed by street foods, they collect far heftier bribes than demanded from the other hawkers. These health inspectors do not even make a pretense of checking food quality or enforce necessary measures for public hygiene. All they do is to come and collect bribes and keep the heat on by carrying out frequent confiscation of rehdis. The terror under which these hawkers operate can be gauged by the following example:

Anil Kumar sells chhole pathure near Janakpuri. Two pathuras and a plate of chanas with pickle is sold by him for a mere Rs.5. He along with his two helpers starts his day at 4 a.m. when they start cooking for the day. By 8 a.m. they are ready to provide food to the working poor living in nearby bastis who have no time or wherewithal to cook before they go to work. On an average, Anil works nearly 16 hours a day. The bribes he has to pay are as follows:

- Police : Rs. 1000 per month
- MCD health Inspector : Rs. 400 per month
- MCD Inspector : Rs. 200 per month
- Another unnamed Govt official : Rs. 100 per month
- MCD sweeper : Rs. 60 per month/Rs.2 a day

**Total** : Rs.1760

The helplessness and vulnerability of our street hawkers is evident from the fact that the ‘humble’ government sweeper also comes and bosses over them and does not condescend to do any cleaning. Most vendors themselves clean up the place they use. The sweeper collects the money as his ‘cut’ just as his senior officers do.

But even after paying a monthly cash bribe of Rs.1760 a month Anil, like others in his trade, is not safe from harassment and confiscation. When I met him in early December, 2001, he told me that so afraid is he of MCD raids and losing his rehdis and cooking equipment, that these days he works only between 8 a.m. to 12 noon when there is less likelihood of raid and confiscation. Thus he is prevented from realizing his full economic potential.
the police and other government functionaries understand: “Look why do you request and plead with them? Give them whatever amount—Rs.500 or Rs.1000—that they ask of you.”

Rajeshwar says he tried that as well. And yet, it didn’t work. He then went to the local MLA who intervened on his behalf and got the Deputy Commissioner (DC) to write a special letter asking the police to let him carry on with his trade from his assigned place. It took 3-4 more days of grovelling and bribing before the police consented on May 9. Even though the local thana had to yield to the DCs order, they did not fail to let him know in clear terms that he dare not forget their special powers. The Beat Officer of Sewa Nagar told him: “This time around you got the DC to give you this recommendation letter. But do not forget that the police have recourse to any number of laws which empower us to starve you to death (hum tumhein dhoop mein sukha denge).” Thus, Rajeshwar not only lost 28 days of earnings due to the malafide action of the police even by their own vicious and unconstitutional laws, but also had to spend lots of money as he went appealing from one authority figure to another. Despite all his political connections that come from being an old member of a close knit political family like the RSS which is part of the ruling establishment today, Rajeshwar feels totally helpless before the tyranny of the police, even when they are acting in violation of their own mandate and laws. He says: “In India, the police are able to run amok. There are no restraints on their powers. If they want, they can declare a rope to be a serpent and vice versa. They do exactly what pleases them. They take away without payment whatever goods they want from our rehdis saying ‘we are staff people’. They think their uniform gives them immunity to rob us in open daylight.” Despite his supposedly legal status, Rajeshwar too is forced to part with Rs.500 a month (Rs.300 to the police, Rs.200 to MCD) as “protection money” apart from additional extortion in kind and extra money given on festivals and other occasions. In January, he too had paid the additional Rs.1000 collected from every vendor, under the pretense of saving them from being thrown out of that area under “orders from above.” Not surprisingly, he too has joined MNAM with enthusiasm.

Hawkers are not the only ones to be adversely affected by the “Clearance Operation”. Consumers also suffer, though very few realize the complementarity of interests with that of hawkers. I remember distinctly its effect of prices in the area. On April 10, I had purchased musambis (sweet lime) at Rs.30 per dozen and pomegranate at Rs.25 a kg from Sewa Nagar. On April 14, when I went to the area to buy fruits, unaware fact that the whole market had been wiped out two days earlier, I found only one hawker selling fruit. He demanded Rs.60 for a dozen sweet lime and Rs.55 for a kilo of pomegranate. The prices in neighbouring Defence Colony were no less high.

If removal of hawkers from one small market can produce such a dramatic increase in prices in that area, one can well imagine what would be the impact on prices and production, if the entire network of distribution of goods established by hawkers were to be eliminated by removing all the hawkers from urban centers on account of their “illegal” status.

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Model Market and Clean Governance Fund

I would like to contribute Rs.............................towards MANUSHI’S campaign to develop model markets and strengthen the organisation of street vendors towards self-regulation and cleansing of governance in Delhi.

Name:.................................................................
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...........................................................................

You may send your cheque/draft/M.O/cash payable to:

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