

**Right to the City as the Basis for Housing Rights  
Advocacy in Contemporary India**

*The Right to the street*

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## *Chapter 1: Introduction*

The Centre for Urban Policy and Governance at TISS has embarked upon a multifaceted research project “Right to the City” funded by Ford Foundation which aims to a) generate knowledge b) inform policy and practices c) build networks of solidarity on the various aspects of claiming and upholding the right to the city, particularly for marginalised and excluded communities and groups that inhabit the urban space.

Within the broader rubric of the Right to the City project, this study attempts to re-conceptualise the Right to the Street as a democratic and socio-political right which is increasingly under threat from the dominant development planning paradigms of urban imagination that seek to reduce the street to a particular function - as merely a space for vehicles carrying goods and people. The street emblemizes the concrete everyday reality of cities in India and much of the Global South, and also offers an insight into the workings of larger scale political economic structures (Saskia Sassen 1988, 1990, 1994, 2000; Manuel Castells 1983, 1996; Parthasarathy 1996; Ramchandraiah 2003; and Annapurna Shaw 1999). It reveals and hides, simultaneously, the complex mesh of claims and forces that shapes its life, that of the city at large, as well as of larger geographies.

One of the key stakeholders in this highly contested space and a co-producer of the space of the street as a space of production, accumulation and of livelihood is the hawker. Interestingly, the National Urban Transport Policy (2006) makes no mention of street vendors. Yet, the National Street Vendors (Protection of Livelihoods and Regulation of Street Vending) Act 2014, a product of a long struggle by hawkers and activists, clearly recognizes hawkers to be an important component of street and street life (Bandopadhyay 2007). This study is located in the cusp of these contradictions and attempts to understand how hawkers contribute to the production of urban space, especially the street and the challenges faced by them in the current neoliberal urban regime (Harvey 2006). This study is relevant given that there is an urgency to create smart cities and world class cities which do not recognize the rights of street vendors, or else seek to

fix these rights spatially in a manner that promotes certain circuits of capital accumulation while negating other alternative modes of negotiating claims to the space of the street.

The study is located in Kolkata given the history of progressive movements and involvement of hawkers unions in demanding their rights to livelihood and the city, and their partial success in the face of opposition and violence from political regimes and an emerging urban aspiring middle class (Chatterji and Roy 2016).

### **Research Objectives**

- a) How is the street being reimagined? What are the current threats and challenges to the way of life that Indian streets embody that the current imagination of world class city/smart city poses? Who are the actors that are driving these changes? How is the street being redesigned and regulated? What are the impacts of these regulations on the everyday life of streets and its users?
- b) Who are the hawkers and what kind of identities (social, economic, cultural, Political), capabilities, resources and skills are important in influencing and shaping their everyday negotiations over the right to the street?
- c) What is the history of organising and mobilising hawkers' struggles in Kolkata and West Bengal and what kind of alliances and fragmentation do we see over time and over territories, particularly with the changing political regime in West Bengal?
- d) What is the relationship between hawking and other activities on streets? What is the relationship between informal vending and formal commerce? How and why are these relationships being recalibrated at different levels (street/ neighbourhood/ city) in terms of their linkages, value chains, spatial footprint and stakeholders? How are hawkers coping with these changes?
- e) How does the study of the various claim making processes to the street contribute to a wider understanding of the real and imagined rights and the production of urban space, particularly in the current moment of urban restructuring?

### Rationale for selection of field sites

Site	Area under Study	Items sold	Union/s	Type of Area
<b>Gariahat</b>	<ol style="list-style-type: none"> <li>1. Triangular Park to Gariahat Junction</li> <li>2. Golpark to Gariahat Junction</li> <li>3. Gariahat Junction to Ballygunj Pantaloons</li> </ol>	glass and ceramic items to mill and handloom textile products, food to pens, and envelopes to lottery tickets, plastic curtains, table cover, table mat etc. seasonal fruits, CD/DVDs, mobile phone accessories, ladies bags and sandals, long scarves (dupatta), artificial jewelry-, latkan (part of women's clothing), plastic household items, garments and small scale restaurants and tea and soft drinks, cigarette joints	Gariahat Indira Street vendors' Union	Residential and Institutional
<b>Esplanade</b>	<ol style="list-style-type: none"> <li>1. Infront of The Grand Hotel</li> <li>2. Infront of Bidhan Roy Market</li> <li>3. CTC Bus Stand near metro gate</li> </ol>	Dress material, Tshirts, jeans, Trousers, bags, shoes, Sunglasses, wrist watches, imported perfumes, phone accessories, fashion jewelry, tea, cigarette and lingerie	Khudiram Bose street vendors' Association, AITUC, TMC and HSC	Institutional
<b>Hatibagan</b>	Bidhan Sarani and Aurobindo Sarani	Dress material, bags, shoes, phone accessories, fashion jewelry, domestic items, utensils, handicrafts, garments, tea, momo, soft toys, lingerie, curtains, crockery	TMC, HSC	Residential and Institutional
<b>Rajarhat</b>	<ol style="list-style-type: none"> <li>1. DLF Gate 2</li> <li>2. Unitech Gate 1</li> <li>3. Green Field Heights</li> </ol>	Tea, cigarette, snacks, lunch, dinner, vegetables, grocery and stationery	TMC and HSC	Residential and Institutional

### Methodology

The study was conducted in different markets in Kolkata from January 2017 to September 2017. The primary method was conducting in depth interviews with street vendors in each of the four

markets. In addition, observations were carried out in each of the four markets to study how shops are arranged, how pedestrian movements take place, what kind of infrastructures are present and how far, and whether these arrangements vary with the time of the day, or the season. Detailed drawings were made to analyze the variations in shop sizes and locations and street width etc. In addition to the drawings and observations, focused group discussions were held in each market area. Data was triangulated using archival information gleaned from a selection of Bengali and English language newspapers.

Interview is a social interaction which results in a transfer of information from the interviewee to an interviewer or researcher. It is the conversation between two people where it is initiated by the interviewer for the purpose of obtaining relevant information on the specific context of research objectives of description and explanation. In the present study an interview guide was prepared to facilitate interviewing (appendix enclosed). Our study has followed primarily the method of in depth interviews and situational conversations to gather information.

The study cross cuts geographically from Southern part of the city (Gariahat) followed by an important North-South institutional area (Esplanade) to an old and natural market in North (Hatibagan) and finally to the new city of Rajarhat. Oral narratives were collected from 24 street vendors from four areas - 19 males and 5 females, with an age group ranging from 20 years to 65 years.

Apart from street vendors, interviews were conducted with local MLAs, councillors, member of Zilla Parishad, Traffic department- Lalbazar Headquarters, traffic police on duty in different areas, police, market department officials from Kolkata Municipal Corporation (KMC), Social Sector- KMC, state politicians, citizens, customers, Hawker Sangram Committee (HSC) office bearers, shop keepers, media, academia and lawyers.

### **Profile of Respondents**

<b>Sites</b>	<b>Age</b>	<b>Men</b>	<b>Women</b>	<b>Religion</b>	<b>Ethnicity</b>	<b>Education</b>	<b>Housing (Owner or Rented)</b>
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<b>Esplanade</b>	25-55	5	1	Hindu-1 Muslim-5	Bangladesh (originally), Uttar Pradesh, Bihar, West Bengal, Kolkata	Minimum-Primary Maximum-Intermediate	All rented
<b>Gariahat</b>	29-55	5	1	Hindu- 6	Bangladesh (originally), Uttar Pradesh, Bihar, West Bengal, Kolkata	Minimum-Secondary Maximum-College drop out	Owner- 1 Rented- 5
<b>Hatibagan</b>	45-60	5	1	Hindu- 6	West Bengal and Bangladesh (originally)	Minimum-did not go to school Maximum-Secondary	Owner- 4 Rented-2
<b>New Town (Rajarhat)</b>	29-55	4	2	Hindu- 4 Muslim-2	Bangladesh (originally), Uttar Pradesh, Bihar, West Bengal, Kolkata	Minimum-Did not go to school Maximum-Secondary	Owner- 4 Rented- 2

Our study comprises a range of street vendors – vendors whom we interviewed had spent a minimum time period of 4 years to a maximum time period of 40 years, approximately, on the street. Overall, most street vendors had a low educational status – very few were college educated. On an average, a vendor has an approximate of 5 members in the family/household and s/he was the primary bread earner. Street vendors’ residences, either owned or rented, are different in each of these territories- For example, many street vendors in Hatibagan and Gariahat lived in the neighbouring areas for easy commuting purpose. However, there is a mix in each territory with some vendors commuting long distances to their shops.

## **Workshops**

Further, for the purpose of the project, three workshops were conducted-

1. A conceptual workshop on the understanding of urban space, cities, streets constructed as space, informal livelihoods, street vendors and usage of such space in the cities was conducted in 21<sup>st</sup> January 2017 at Institute of Development Studies, Kolkata. Title of the workshop- *Re-conceptualizing the Right to the Street*.
2. A midterm workshop was conducted in 17<sup>th</sup> September 2017 at the Institute of Development Studies, Kolkata, with various stake holders and academicians as a part of final submission of the project report. Title of the workshop - *Politics of the Street: Design, Density, Diversity and Claim Making*. Findings from the ethnographic study were presented before the audience and feedback sought.
3. A final national level workshop was conducted on 17<sup>th</sup> and 18<sup>th</sup> February 2018 at Tata Institute of Social Sciences, Mumbai in collaboration with National Hawker Federation, to evaluate the implementation of the 2014 Act, the challenges it poses as well as opportunities it opens up, and to discuss collectively measures to go forward with judges, activists, union members and street vendors collectives as well as academics from around the country. Title of the workshop: *Implementation of Street vendors Act 2014: Challenges, Opportunities and Way Forward*.

## *Chapter 2: Review of Literature*

### **Street as an Urban Space**

In order to understand the complexities in using of physical space by the informal sector especially street vendors, it is important to understand the concept of space. Space has several meanings and its usages are varied. Across India, the street has been centre stage in discussions of disputed urban issues such as transport, eviction drives, new economic settings and emerging forms of public life. Moreover, streets in Indian cities have historically hosted a range of socio-political and cultural uses that are integral to urban democracy. The street is an everyday urban space not only in the empirical sense of the term, but also in the sense that Henri Lefebvre (1991) assigns to it as an uneven terrain of the familiar and the unperceived where unspectacular negotiations about questions of meaning and power can unfold. Given its function as an infrastructure of circulation, the street remains open to multiple uses and forms of life. For example, business or trade can turn quickly into celebration, leisure into warfare or protest. Frequently, and especially in spatial practices such as urban design and planning, the street is imagined as a stage on which public life will be performed as a backdrop to activities that are programmed within its boundaries. Regulations ranging from land use, restrictions on vending and traffic lights circumscribe its trajectories of use and movement. Nonetheless, the excess of urban life unsettle the social, economic or vehicular functions that are assigned to the street. Noise, odours, pedestrians, street vendors, vehicular traffic, hoardings and encroachments of buildings and construction crowd the experience of the street with images, transactions and physical objects.

Unsurprisingly, the street has long been the object of anxieties about social miscegenation and mixtures of commerce, residence and community— forms of collective belonging and exchange that are unpredictable but vital forces in the life of a city. Though managed through techniques of segregation between black and white towns in colonial India, the messy relations of the street were increasingly scrutinized in the 19th century by discourses of sanitation and colonial era improvement schemes. The street was evaluated through what Anthony Vidler calls a ‘pathology of urban form’, where urban physical and social processes were understood as living organisms that were dependent on each other, and whose so-called ills could be ‘diagnosed’ (Vidler

2011). Unfolding in the long shadow of the Enlightenment, industrialization in Europe and colonization, reformers gauged the health of the city through the perceived health of the street, energizing socialist critiques of industrial capitalism by thinkers such as Engels, as well as providing grist for the demolition drives of Haussman in Paris. Either way, colonial urbanism inflected this moral imperative was to improve the street and to improve the city at large by assuring a healthy and productive social body.

By taking street as a focus, building on the much more spatially-oriented French Marxist tradition and in particular on the influential work of Henri Lefebvre, was the development of an explicitly spatialised political economy that first focused on the urban and international scales and later on to the regional political economy. In 'The Political Economy of Public Space', David Harvey (2006) describes this contestation as problematic yet hopeful. He states that, 'the neoliberalism of public space is neither indominable nor inevitable and however much public space is now under clampdown, it is not closed' (Harvey 2006:14). Despite the access limitations placed on public spaces and the increasingly private nature of public space management, the urban poor have managed to negotiate these spaces as an invaluable asset in their livelihood-generating strategies. Historian Nikhil Rao recounts the particular quality of this blurring between the domestic and the common in early 20th century Mumbai, describing buildings as sweating with life, an image that captures well the way in which interior realms spill out into the street (Rao 2010). To him, mixed use, the blurring of boundaries between public and private, and the rich sensory experience are signs of streets that are 'less circumscribed and framed by the power of capital and bureaucracy' (Edensor 1998: 219). Further he reinterprets messy streetscapes as redemptive spaces. One never knows precisely where the street ends and private space begins.

To elaborate it theoretically, Henri Lefebvre (1991) introduced the concept of right to the city in his pioneering work. The right to the city meant how all the inhabitants of the city contribute towards the production of urban space and to appropriate its use. Lefebvre's right to the city is an argument for profoundly reworking both the social relations of capitalism and the structure of liberal-democratic citizenship. The idea is a call for a radical restructuring of social, political, and economic relations both in the city and beyond. Key to this radical nature is that the right to

the city reframes the arena of decision making in cities that is it reorients decision making away from the state and toward the production of an urban space. Lefebvre's idea of space includes perceived space, conceived space, and lived space. Perceived space refers to the relatively objective, concrete space people encounter in their daily environment. Conceived space refers to mental constructions of space, creative ideas about and representations of space. Lived space is the complex combination of perceived and conceived space. It represents a person's actual experience of space in everyday life. The idea of the 'right to the city' has received considerable attention (Friedman 1995, Isin 2000, Right to the city 1998, 2002, Soja 2000). However, for most part this work has not systematically elaborated just what the right to the city entails nor has it carefully evaluated the consequences of such ideas that would have for empowering urban residents. Further, David Harvey (2008) has highlighted Lefebvre's work in the contemporary urban context. He noted that although cities were different in the 1960s, yet both the scholars were of the opinion that there should be stronger democratic control and wider participation in struggles to reshape the city. Therefore, the concept is not a contribution which should be viewed from an individual's right to the city as an urban space rather it is from the perspectives of various types of groups. Like Lefebvre, Mitchell (2004) has argued that the right to inhabit the city implies the right to housing and so on. Although securing the right to housing does not guarantee the use of space in the city, however, it is a first step towards ones claim to the urban space. Mitchell further noted that right to private property is to be disassociated if urban space is giving more importance to the everyday needs of the people in the city rather than the needs of capital accumulation. However, the author also argued that struggles to secure these and other rights actually produce spaces of representation in which demands for the right to the city and social justice become visible. Here, the state is a significant actor in institutionalizing rights to protect the weak. When translated into law, rights become social practices that are backed up and enforced by the state (Mitchell 2004).

In contrast, Soja (1999) has argued that the formation of a distinctively urban political economy was more directly influenced and inspired by structuralism which is either explicitly as in the work of Manuel Castells and the group of French Marxist Sociologists who sought to understand the post-war development of the capitalist city and the criticizing urban crises of the 1960s or

implicitly in the writings of David Harvey and other Anglo-American Marxist Geographers, Sociologists, and Urban Planners who are similarly trying to make theoretical and practical sense of the urban condition under capitalism. Arguably the most directly influential figure shaping the emerging field of urban political economy was Henri Lefebvre whose work on everyday life in the modern world discusses the emerging society of bureaucratically controlled consumerism and the necessity for an urban revolution and had re-focused the attention of Marxists to the urban question and the contentious social production of urban space. In this, street in an urban space is seen as a public space with its various functions for its residents as well as for the migrants. One can also find widening of roads and old streets in many cities and towns in India. This has encouraged increased mobility of people and vehicles which therefore leads to more social interactions. Simultaneously, the idea of flyover or very commonly known as bypass was constructed to avoid main city traffic mobility which has also led to development of real estate in those areas. Therefore, streets are constructed as a space with its new infrastructure such as widening of old streets, constructing flyovers, construction of condominiums and so on. Using of such space by street vendors in the informal sector is an important phenomenon of how streets are perceived as by the street vendors, civilians, the state and its functionaries.

Henri Lefebvre and other The 'right to the city' literature scholars have shown that such neo-liberal city building agenda to make urban space attractive for new investors also includes cleansing of the homeless and the jobless and not homelessness and joblessness from the centre of the cities to the peripheries further deepening socio-economic polarization. Thus the slums and squatter settlements are being displaced and mega projects of residential complexes or shopping malls are being sanctioned. While slums are being removed from the centre of the city on one hand, on the other, new slums are being created due to massive rural-urban migration. The concept of right to the city is not a complete solution to the existing problems rather opening to a new urban politics of space. This divided urban geography is also manifested in the way that people are associated with formal and informal sectors who tend to access the state to avail the services. Now the urban poor and the migrant communities tend to take the direct political route by approaching the local functionaries of the organized political parties to assert their claims to the city. On the other hand, as a part of securing their votes during municipal elections, the

educated urban middleclass tend to stay away from the electoral politics and instead take the apolitical route to press their claims to the city (Chatterjee 2004, Benjamin 2008). Castells (1983) has argued that dependent capitalism has implications on the occupational structure of cities- characterized by a large chunk of population working in the informal sector and living in squatter settlements. These urban poor are the new subjects of the process of social change, representing new ideology and politics. Moreover, Partha Chatterjee (2004) has termed this phenomenon of subaltern population associated with the urban informal sector who is under the protection of the mainstream political parties for their survival strategies. Now, this section of population is interested in short term gains.

### **Indian Streets- Present and Future**

By India's independence, urban development projects such as the drafting of master plans redirected the moral imperative of social reform to one of redressing the inequities of the colonial city through planning. The street functioned as a diagram of urban organization, reinforcing the separation of different forms of life through zoning and managerial techniques of distributing development in step with technical calculations of density or work-distance ratios (Sundaram 2010). Further, Sundaram (2010) has argued that information gathering and mapping techniques which long associated with planning were significantly altered in their orientation by the 1990s. Efforts to make otherwise intertwined urban processes clear and transparent to a managerial eye were no longer associated with programmes of social justice but were instead utilized in the service of a politics of fear where potential urban risks such as pollution, encroachment and traffic mobilized the courts, the media and citizens groups to demand the demolition and displacement of populations and ways of life deemed non-conforming with the plan and other normative benchmarks of urban control.

At present, urban infrastructure development is the lens through which the future of the Indian street is imagined. Events such as the Commonwealth Games (CWG) bring into sharp focus how infrastructure is instrumentalized by programmes of reform and improvement. Reform and urban improvement operate rhetorically by identifying supposedly anachronistic forms of life and civic expression as targets for intervention. Witnessed over a longer duration, the CWG is but one example of such intervention. The instrument of planning, for example, was designed to leave

behind many of the existing forms of civic discourse in cities such as Delhi as traditional and backward (Sundaram 2010). More recently, urban activism in the 1990s laboured to subvert and surrender the infrastructure development seeks to hinder the circulation of vehicles, water, information and electricity (Menon 2010). Together with struggles over its meaning and uses, contestation about the technical construction of the street is equally important to its openness to different forms of occupation and sociality. Small shifts in the flow of traffic or the material composition of the street can have tremendous consequences for the life and livelihoods of those who inhabit it. Arjun Appadurai (1987) has noted that Indian street is an economy of small difference. Different speeds of traffic and the design of intersections bear direct relationship to the placement of roadside markets and vendors, for instance.

Though streets feature prominently in discussions of urban redevelopment in India, there is a paucity of speculation regarding the future of such projects and policies from the standpoint of the street itself. Critical writing on the streets in India remains specialized and policy oriented, marginalizing the experience of everyday life. In step with the current focus of development discourse in India on urban infrastructure, the street is widely represented as a site of potential urban redevelopment. Planners, developers and the popular media foreground the role of the street as the centre piece of a new set of images about what urban life in India will look like, placing significant pressure on its capacity to represent the future of the city.

### ***Designing and Types of Indian Streets***

As mentioned above on the context of streets as space, it is now important to understand the relation that is being built after the formation of different kinds of spaces. It is not only about the creation and understanding of such space rather the creation or formation of various types of networks and social interactions that sometimes becomes central part of such spaces. In many cities in India, new infrastructure is built and new roads are constructed. Spatial configuration plays in shaping the potential for social interaction. In particular, detailed analysis suggests that the design and configurational layout of public spaces such as streets, squares and parks contribute day-to-day interaction and potentially to overcoming social exclusion. Street network's configuration has been identified as a significant driver of the ability of cities to support the development of diversity and intensity of city uses and users over time. Urban form

is thus found to play a critical role in such social processes. The widening of the old streets is then of significant importance to understand whether the micro-scale street will continue to play a local role in its new positioning within the urban configuration or will be absorbed and overtaken by the city. This is reflected in policy documents, municipal budgets and Comprehensive Development Plans and all of which have extensive formulations on social sustainability and social exclusion (Legeby, Pont and Marcus 2015).

Writings on the street in India can be grouped into three categories. The first sees the street as a space of difference. These are writings by non-Indians and Indians alike that— whether as emblematic of the ‘exotic Orient’ (Kidambi 2007: 35), ‘premature’ (Bose 1965), or underdeveloped— see streets ‘seething with miscellaneous humanity’ (Low 1907: 23), as deviations from modern ideals. The second group sees streets and urban space as manifestations of power, arenas on which forces of global capital and ideologies of neo-liberalism unfold (Rajagopal 2001, Whitehead and More 2007, Arabindoo 2010). And finally the third perspective, what might be called a culturalist approach, frames Indian streetscapes in terms of their unique rhythms and logic of practice (Appadurai 1987, Ahuja 1997, Edensor 1998, Mehta 2009). The culturalist perspective is important because it highlights the specificity of urban experience. However, at times, its effect is to rigidify difference. Specificity of the Indian street lies in the problematic of difference that is the perceived disjuncture between lived experience and universalizing norms of urban modernity that animates ordinary life and governmental efforts to transform the city alike.

Indian cities are modern in an obvious sense, and yet the constant public discussion about lack of civic sense, misuse of public space and the appearance of streets is partly a reflection of anxiety over whether they are full participants in world modernity, for many of its users, the streetscapes that Edensor celebrates represent a problem because they deviate from a supposedly universal urban aesthetic ideal. Thus, while writings on the culture of the Indian street are concerned with understanding, difference and otherness (Edensor 1998: 220), the politics of contemporary urban India suggests the need to understand how otherness operates on the street. It is important to

understand how street practices in India are produced through awareness of difference from the West by those using, working, loitering, managing, writing, and governing it.

Following de Certeau (1984: 117) the street is an object of spatio-legal regimes and a technocratic gaze of policy makers', planners' and engineers' visions but it also operates as a powerful metaphor. The street connotes the mundane, the gritty, and the real everyday life. For example, on entering a huge market for the first time, one is immediately deafened by the din that prevails, and half suffocated by the smells that impregnate the atmosphere as well as by the organization of everyday life (Rousselet, mentioned in Dwivedi and Mehrotra 1994: 50). He further described the market's everyday life as where the shops are simply boxes, set on end, with the lids off where one can stand and watch the baker rolling his flat loaves, the tailor stitching and cutting and the coppersmith hammering at his bowls and dishes (Low 1907: 24) while all around people can be seen 'dressing, shaving, washing, and sleeping, and, in spite of the caste rules and religious restrictions, even a good deal of eating' (Low 1907: 23). In other words, with the possible exception of the railroad, streets capture more about India than any other setting. On most streets in urban India people are walking, but they are also working, cooking, talking, eating, sleeping, reading or simply hanging out. People brush their teeth, wash their face, chop vegetables and clean dishes. The transformation of public spaces into private spaces occur everywhere from the quiet residential streets to the imposing, monumental architecture of any city is a continuous arcade that connected all the buildings and the presence of the street vendors of all sorts indicates a demarcation of public and private space where the definition is kept loose unlike in the West (Ahuja 1997: 50). In this way, the street occupies a privileged place in accounts of urban modernity. To Walter Benjamin (2006), the experience of the street stands in for the contradictions of capitalist modernity that is the simultaneous experience of the attractive and the repulsive, the sacred and the mundane, the transformative and degrading (as referred by Kaviraj 2004).

Any discussion of the culture of the Indian street has to take into account the fact that today's Indian streetscapes are an accumulation of a century and a half of municipal, police and elite residents' efforts to transform them. This does not mean the street has been subsumed into a

logic of architectural modernism but equally nor does the street represent a complete inversion of it. More recent efforts to discipline street users such as the erection of fences meant to keep pedestrians separate from automotive traffic, efforts to reshape the street practices in India have largely failed (Chakrabarty 2002).

Recent works by Banerjee (2002) showed that the issue of street vendors/street vendors occupying public space which belongs to the pedestrian has brought much controversy. The practice of hawking attracts critical scholarship because it stands at the intersection of several big questions concerning urban governance, government co-option and forms of resistance (Cross 1998), property and law (Chatterjee 2004), rights and the very notion of public space (Bandyopadhyay 2007), mass political activism in the context of electoral democracy (Chatterjee 2004), survival strategies of the urban poor in the context of neoliberal reforms (Bayat 2000) and so forth.

### **Informal Sector**

Informal labour has become an important part of the highly industrialized and technology based society as it provided cheap services. In fact, economic restructuring post globalisation has led to urban restructuring which has led to expansion of the informal sector (Castells 1996). Sassen (1998) has argued that there has been technological transformation of the work process which made it possible for the ascendance of the financial sector in the management with the decline of production based management that have contributed to the new kinds of economic centre like the global cities from where the world economy is managed and serviced. Such global cities have generated a restructuring of labour demand. Therefore the job supply is based upon the shrinkages of traditional manufacturing industries with the replacement of high technology industries. This shows that the higher level work demands for lower level labour i.e. the informal sector. With the re-organisation of consumption structure and physical upgrading of cities, the demand for low wage workers has been generated.

### ***Background***

The notion of informal sector came into international use in the 1972 by International Labour Organisation's (ILO) report of a Comprehensive Employment Mission where it is defined by various factors such as small scale, low resource base and entry barriers and family ownership, labour intensive methods of production and adapted technology. These skills are required outside the formal sector and are generally unregulated. Informal labour has become an important part of the highly industrialized and technology based society as it provided cheap services. However, there is a lack of clear definition of the informal sector which obstructs their identification. In many cases, the informal sector and unorganised sector are used as interchangeable terms.

In recent years there has been an interest in defining, measuring and studying the informal sector in order to realize its reach, impact and contributions to the economy and society in the developing countries. In the developing economies the labour market is divided into two categories such as organized sector and the unorganized sector. In the organized sector the workers are well paid, governed by long term contracts, subject to government regulation and trade union pressure. The unorganized sector are either self employed or are working as rural workers or in small units. Most of the time, workers in the informal sector are poor because they get subsistence wages. They are below or just above the poverty line (Breman 1978). They are not unionized and often ignored by the trade unions. They are not a homogenous lot and are spread across the rural and urban sector. There is gendered division of labour where men get more wages than women. However, there are some common characteristics of the informal labour in both rural and urban setting. They do not have regular job or their jobs are based on contract. Most of them are obliged to move to different parts by force. It can be said that the informal sector do not enjoy social security and do not get old age pension and other benefits underlies the fact that the state is absent in all these cases. Several measures were passed but it has not been enacted properly by the state organs.

The informal sector is considered as unproductive and will disappear with development. But studies have shown that the activities of the informal labour are profitable and efficient. They are characterized by low level of productivity, small number of clientele, low level of formal schooling, intermediate technology, preponderance of family labour and ownership and finally

lack of support and recognition by the government (Parthasarathy 1996: 1859). Cross border informal trade is also happening at a rapid rate and thereby it escapes the ambit of informal sector measurement. Such informal trade is rampant in South Asian countries particularly among India, Nepal and Bangladesh, e.g., about one fifth of Zimbabwean women in the informal economy are engaged in cross border trade with South Africa and Zambia (Manjokoto and Ranga 2017).

### ***Indian Context***

In India the informal sector provides income for a large number of workers. India has witnessed significant structural changes in terms of economics in the last few decades. Economic liberalisation has opened up markets and therefore there has been growth of new industries. Along with it, deregulation has brought a change of technology and business organizations of firms. The informal sector contributes to the production, consumption and employment in the developing countries. It is also means of livelihood and survival for the poor, unskilled, socially marginalized and female population. Moreover, the informal economy contributes to the output of developing countries. The un-organised sector in India accounts for sixty-two percent Gross Domestic Product (GDP), fifty percent of gross national savings and forty percent of national exports<sup>1</sup>. The enactment of legislation and other measures to bring them under regulatory and social protection instrument will affect the existing mechanism prevailing in the informal sector leading to obstruct the smooth functioning of the market. It also requires huge infrastructural and institutional arrangements to involving financial suggestion beyond the capacity of the government in the changing scenario of the world. For this, the government will have to play the role of catalyst and also advocate so that the informal sector gets requisite level of protection and security to enjoy decent work environment and also to improve their socio-economic status. There is a special need for their training, upgrading their skills and other measures to enable them to find new ways of employment and improve skills in the existing employment (Deshpande 1997).

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<sup>1</sup> As quoted in Niru Yadav's CUTS International 2009, briefing paper, published by CUTS Centre for International Trade, Economics and Environment.

### ***Liberalisation, Privatisation, Globalisation and Informality***

The Information Technology Revolution and Economic Liberalisation have opened up the labour market rapidly in the new cities like Bangalore, Cochin, Hyderabad and Pune. India has witnessed significant structural changes in terms of economics in the last few decades which has opened up markets and therefore there has been growth of new industries. Along with it, deregulation has brought a change of technology and business organizations of firms. The growth of informalisation and rural to new township migration made the condition of the informal labour vulnerable (Vijay 1999). Post liberalisation meant the opening of trade by reduction of import duties and removal of certain restrictions. It also meant the entry into WTO regime. It has been found that along with the easing of the restrictions on external trade, there has also been a removal of some internal restrictions on movement of commodities. At the same time, there has been loosening of licensing system, especially in the private sector firms. Moreover, there has not been an integration of production globally but also across the countries internally. There has been rapid privatization of government owned companies and of community resources and reserved areas like banking and insurance. However, there has been deregulation of labour protection leading to massive growth of contract labour and sub contracting. The rapid growth was also reflected in the increase in the construction activity in cities. Cities have become the terrain where people from different parts meet and multiplicity of cultures comes together. One can no longer think of city centres as the most important business and cultural centres, as even the outskirts of the cities have become equally important. An array of cultures have been found from different parts who were related to particular village or various cities, are now re-territorialized into few single cities like Mumbai, Delhi, Bangalore, Hyderabad and Kolkata.

### **Street Vendor and Vending: A Brief Introduction**

Bayat has characterised the politics of urban informal producers as a silent violation by which he means 'the silent, protracted but pervasive advancement of the ordinary people on the propertied and powerful in order to survive and improve their lives' (Bayat 2000: 545). The space in the urban streets which is a public space becomes the target of this silent violation. The informal sector has made the streets as their private property where they use the street as their homes as

well as their place of production/work. On the other hand, the phenomenon of this section of people using the street is found mainly in the existing metropolises. In the new towns, municipal laws are strictly enforced to check the growth of the informal economy on public property. One of the important players in the informal sector that uses the street as their space for livelihood as well as for residence is the category of street vendors.

Over the past few decades it was observed that there is substantial increase in the number of street vendors in the major Indian cities. Mumbai has the largest number of street vendors numbering around 250,000. Kolkata has more than 150,000 street vendors. Ahmedabad and Patna have around 80,000 each and Indore, Bangalore and Bhubaneswar have around 30,000 street vendors (Bhowmik 2003). The total employment provided through hawking becomes larger by considering the fact that they sustain certain industries by providing markets for their products. A lot of the goods sold by them, such as clothes and hosiery, leather and moulded plastic goods and household goods, are manufactured in small scale or home-based industries. These industries employ a large number of workers and they rely mainly on street vendors to market their products. In this way street vendors provide a valuable service by helping sustain employment in these industries.

A study on street vendors in seven cities showed that the average earnings range between Rs.40 and Rs.80 per day. Women street vendors earn even less. These people work for over 10 hours a day under exhausting conditions on the street and are under constant threat of eviction. In recent times however they have come to be regarded as public nuisance by certain sections of the urban population. The educated middle class and upper middle class in the urban areas are most vocal about eviction of street vendors from their vicinity. In most of the large cities, such as Mumbai, Delhi, Kolkata, Chennai, Bangalore, they aggressively argue for restoration of pavements as public space. There are debates as well of using public space and creating congestion for the general public. In African cities like Kumasi in Ghana, for instance, street vendors are perceived by city authorities as sources of congestion and poor environmental sanitation, and their structures are seen as destroying 'the aesthetic quality of the urban settlements' (Solomon-Ayeh, Sylvana & Decardi-Nelson 2011: 21). Similarly, in Southern American and Asian cities like Mexico city in Mexico, Santiago in Chile and Mumbai in India street vendors are often portrayed

as offensive and illegitimate invaders, who inhibit the ability of cities to modernize and achieve a global status (Crossa 2009, Rajagopal 2001, Stillerman 2006, Turner & Schoenberger 2012). Street vendors are perceived as a sign of chaos and disorder and a failure of metropolitan authorities to instill order within the cities (Crossa 2009; Rajagopal 2001; Stillerman 2006; Turner & Schoenberger 2012). Rajagopal (2001: 94) further explained that in Mumbai India, ‘street vendors are seen as offensive, inconvenient, and illegitimate . . . a symbol of metropolitan space gone out of control’. The media plays a crucial role in shaping the negative perceptions of the public regarding street vendors (Rajagopal 2001). As a result of these negative perceptions, street vending in general has become a phenomenon associated with poor level of city or urban development and modernization (Anjaria 2006). Thus, ‘by working on the streets, they are engaged in an activity that contradicts the supposed universal ideals of the modern public space’ (Anjaria 2006: 2142). Alternatively, street vendors are perceived as elements that do not belong as part of the urban and modern landscape, they are considered as out of place urban elements (Yatmo 2009). Jonathan Anjaria argued in the context of Mumbai that, ‘the experience of the street vendors in Mumbai, as elsewhere in India, have taught them not to fear a regulatory state, but a predatory one, a state that constantly demands bribes and threatens demolition, against which a license provides security’ (Anjaria 2006: 2140). So Anjaria suggested that street vendors should have a formal system and proper regulation as solution to their problems which will exempt them from everyday extortion. However, the author fails to give an account of the kind of consensus among the stakeholders on the question of the kind of regulation.

### **Inclusion/Exclusion of Vendors**

It is attempted to discuss a new logic of inclusion and exclusion in globalizing Indian and tries to assess its potentiality as well as limitation. Contemporary India is experiencing a deepening of democracy and growth of market economy where there is increasing political and socio-economic participation from below and at the same time the penetration of governance and capital into everyday life. ‘The global experiment of modernity intersects with, and influences as it is influenced by, the penetration of modern institutions into the tissue of day-to-day life’ (Giddens 1994: 58). The penetration of modern institutions such as local government, administrative bodies and NGOs as well as private schools, companies, banks and shops, is very

evident in almost all corners of the country. This does not mean, however, that there is unidirectional encompassment of Indian society by the institutions of governance and capital from above. It is no longer possible to understand the present situation in terms of the elite/subaltern dichotomy where subalterns are excluded from the national space occupied by the elite (Guha 1982 as referred in Akio's work on Conditions of Developmental Democracy 2018).

As Indian economy and politics is becoming global, a new type of social exclusion has emerged in the society. The causes of previous social exclusion were based on caste, religion or occupation and such exclusion brought about conflicts between people and the state. While the growth of the Indian economy brings about the newly emerging middle class, the economic gap between the rich and the poor is on the rise. Now the government is in need of answering the demand of those two strata- higher and middle classes on one hand who demand their share for contribution to the country's economic growth and on the other, the lower class who suffer from high inflation and change in social and industrial structure.

Focusing on street as a contested space where different classes meet and clash and social inclusion and exclusion take place. In India, as a result of industrial restructuring beginning from the 1980s and economic liberalization in the 1990s, many people have moved to the cities and work in informal sectors such as street vending (Jhabvala 2000 and Brown 2006 as cited in Akio Tanabe 2018). Hawking offers unskilled labourers immediate means of making money and consumers daily commodities for inexpensive prices. Yet streets are now becoming public space in urban planning from which street vendors need to be excluded. However, streets are also spaces where various interests clash, which have often caused tension. For instance, until the 1980s municipalities and police had full authority to clear away hindrance of traffic from streets. If they considered street vendors or anybody living on the street as a hindrance then they could easily chase them away anytime without legal consequences. In exchange for letting vendors do their business on the streets, the municipalities and police received bribe from them. The claim over right to do business on the street has led to court case in the 1980s and 1990s. It was during the same time that streets became the target of city planning and industrial restructuring.

## **Role of Middle Class**

In the recent times, with the development of semi-skilled work and skilled professionals, a growing aspirational middle class is visible in cities. This category has a different approach towards the city. They prefer to live within the segregated areas, mostly, in condominiums with all kinds of facilities. Leela Fernandes has argued that India's move toward economic liberalization in the 1990s did not simply bring about changes in specific economic policies- it set into motion a broader shift in national political culture. This shift is succinctly captured in the array of highly visible images of changing trends in consumption practices, lifestyles, and aspirations. These images have centered around the proliferation of commodities such as cell phones, washing machines, and color televisions (and the associated global brand names of these products). The rapid expansion of the service sector has received much public attention and has often been credited as being a central component in India's accelerated economic growth since the 1990s. High-tech workers have become a potent symbol of India's success in the global economy. According to the National Association of Software and Service Companies (NASSCOM) estimates, revenues from information technology-related services increased from \$ 565 million in 1999–2000 to \$1,475 million in 2001–2 with projected estimates of continued robust growth. There has been an increase in new jobs in information technology (for example, from 522,250 in 2002 to 650,000). The identity of the new middle class has become a critical arena for the negotiation of uncertainties, anxieties, and resistances that arise from changes sparked by India's program of economic liberalization and the broader cultural and social dimensions of globalization that have been associated with this set of policies. The growth of civic organizations such as the Citizens Forum for Protection of Public Space represents an emerging trend in which the new middle class has begun to assert an autonomous form of agency as it has sought to defend its interests. The growing visibility and assertiveness of the new middle class in India's emerging political culture of liberalization has intensified public interest in the political behavior and leanings of the middle class. Levels of electoral participation for the middle classes have been relatively low when compared to subaltern social groups. For example, survey research has demonstrated that voter turnout is below average for upper castes, urban dwellers, and graduates and postgraduates-all segments.

The urban middle class complains constantly on how these vendors make urban life a living hell as they block pavements, create traffic problem and also engage in anti-social activities (though more often than not, the same representatives of middle class prefer to buy from vendors as goods are cheaper though the quality is as good as those in the overpriced departmental stores and shopping malls.

### **Street Vendors Act 2014**

The Street Vendors Act, 2014 is a pioneering initiative to protect the livelihood rights and social security of urban street vendors in the country and thereby aid poverty alleviation efforts of the government. The Act aims at fostering a congenial environment for the urban street vendors to carry out their activities without harassment from any quarter. It also provides for regulation of urban street vending and is uniformly and mandatorily applicable to all the states and Union Territories (Ministry of Housing and Urban Affairs 2017).

In the Street Vending Act (SVA), Town Vending Committee (TVC) is body constituted by the appropriate government under section 22 of SVA. TVC will be responsible for conducting of survey of all the vendors under its jurisdiction, and such survey must be conducted every five years. No street vendor will be evicted until such survey has been made and a certificate of vending to be issued. All street vendors will be accommodated in a designated vending zone. In case, all the vendors cannot be accommodated in the same vending zone, allocation of space will be made by drawing of lots. However, those who fail to get space in the same vending zone, will be accommodated in adjoining vending zones (Ministry of Housing and Urban Affairs 2017).

### **Chronological Development of Street Vendors Act 2014**

1	The Street Vendors Policy 2004	Aimed at providing social security and livelihood rights to street vendors
2	Model Street Vendors Bill, 2009	For Protection of Livelihood and Regulation of street ending- All States and Union Territory governments for creation of state legislation, however it had no legal bindings, thus few governments made any progress in this regard
3	Verdict of Supreme Court of India, 2010	Court recognized street vending as a source of livelihood, directed the ministry to work out on a central legislation, and a draft of same was unveiled to the public on November 11, 2011
4	Street Vendors act 2014	-Protection legitimate street vendors from harassment by police

		and civic authorities -Demarcation of vending zones on basis of "traditional natural markets" -Proper representation of vendors and women in decision making -Establishment of effective grievance and dispute resolution mechanism
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Source: Street Vendors Act 2014

Following key points are mentioned in the Act:

- All street vendors will be accommodated in a designated vending zone. In case, all the vendors cannot be accommodated in the same vending zone, allocation of space will be made by drawing of lots. However, those who fail to get space in the same vending zone, will be accommodated in adjoining vending zones.
- All street vendors above fourteen years of age will be granted a certificate of vending. However, such certificates will be granted only if the person gives an undertaking that he will carry out his business by himself or through the help of his family members, he has no other means of livelihood and he will not transfer the certificate. However, the certificate can be transferred to one of his family member if such vendor dies or suffers from permanent disability.
- The certificate may be cancelled if the vendor breaches the conditions of the certificate.
- No vendor will be allowed to carry out vending activities in no-vending zones.
- In case of declaration of a specified area as a no-vending zone, the vendors will be relocated to another area. Vendors, who fail to vacate such space after a notice has been given, will have to pay a penalty and local authority may physically remove the vendor and make seizure of goods of such vendors who have not relocated to the vending zones.
- There shall be a dispute resolution body.

The next chapter deals with the historical background of Kolkata in order to deliver at a context to the study.

### *Chapter 3: History of Street Vendors in Kolkata*

Historically, with the huge influx of migrants from the rural hinterland of the city, before and after the Bengal Famine of 1943, the planned urbanism received the severest blow and footpath life began to draw the attention of serious academics (Das 1949 as cited in Bandopadhyay 2010). Famine victims began to colonize the footpaths, boulevards, parks and all other vacant spaces in the city. Before the tide of the phenomenal rural-urban migration receded, the streets of Kolkata were populated by refugees from Bangladesh. While the upper-caste landed groups, who migrated just after the partition found place in the city's formal economy, the low-caste groups migrating to the city in mid-'60s clogged every open space of the city often colonizing relatively less crowded footpaths of South Kolkata stretching from Dhakuria to Baghajatin and Garia and often fighting with the existing rural-urban migrants in the city. Many of these groups began to live on the footpaths and opened roadside stalls, encroaching public amenities. Many of them took up street vending as a profession. In 1952, for example, the then Chief Minister Bidhan Roy endeavored to evict the book-street vendors along College Street so that the magnificent colonial architecture of Presidency College and the University of Calcutta could be visible from a distance (Amritabazar, 21 July 1952). In the 1950s, however, the usual way to check encroachment was to convert erstwhile stables and wayside vacant public lands into street vendors' corners such as- Jogubabu Refugee Street vendors' Corner, Kalighat Refugee Street vendors' Corner and Bidhan Roy Market in Esplanade.

Major vending areas which developed predominantly in late 1960s-1970s were around the wholesale areas of Burrabazaar, dominated and inhabited by Marwaris who had settled there as early as 1860s. Here, the street vendors are observed to be tied with the wholesale units by an intricate credit relation. It is the centre of trade for piece goods, glass and ceramics and essential household goods (Dasgupta 1992). Beginning in 1870s, Marwaris started buying up land in the area, pushing out wealthy Bengali landlords. Here, street vendors generally sell the same products as the larger shops, but target a different customer profile.

Most of the goods entering the market through footpath hawking since the *early 1970s* are products of workshops and *karkhanas* (factories) situated in Kolkata, Howrah and some other adjoining districts in West Bengal. The slums and squatter colonies of the city are also known for

hosting small-scale production units. Larger firms also sell through street vendors their low-end products. Between 1966 and 1972 street vendors began to move occupy footpaths at Esplanade, Burrabazaar, Gariahat, Sealdah, Esplanade and North into Hatibagan, Shyambazar and Sovabazar and also across the canal into Paikpara (Dasgupta 1992). Here, street vendors until recently, used to sell food, tea, vegetables, fruits, household items made of recycled plastic and scrap manufactured in small factories or household units in the slums.

In 1975, the three wings of the government, CMDA, PWD and the Corporation expressed their resolve to evict the street vendors from some of the streets of the city. The drive was officially called 'Operation Hawker' (Bandopadhyay 2007). The corporation had 9 retail markets in its ownership at that time. These markets were scattered in different pockets of the city. KMC provided an account of the financial condition of all the municipal retail markets between 1965-66 and 1975-76 which showed that right from 1965-66 the profitability of the markets was declining due to emerging business on the streets by vendors. Street vendors' movement started in the initial years of 1977-96 of the Left Front government, CPI(M), as they wanted to maintain a status quo with regard to the question of the urban vote bank. Its initial strategy was to consolidate the existing incumbency without a further radicalisation of the urban poor. Consequently, the government declared that no street vendor, who had occupied the pavement after 1977, would be given the vending license. However, no vending licenses were issued for any vendor. In 1983, the then Chief Minister of West Bengal, Jyoti Basu, ordered the police to take necessary actions to identify and evict the post-1977 entrants on the pavement (The Statesman, 8 July 1983). The committee then sought not to evict the street vendors but to chalk out a proper regulatory/control mechanism to check their further proliferation. The proposal of reform included the recommendation of creation of vending and non-vending zones in the city. The report also recommended the rehabilitation of the street vendors in low cost market complexes. By 1980s, the lunch-providing street vendors started arranging chairs and benches in Dalhousie footpath. In most of the cases they used rejected furniture from the nearby offices. In 1984, the police led an eviction drive to clear the Dalhousie footpaths adjacent to the Writer's Building from the street vendors. The lower level public sector employees affiliated to the ruling CPM influenced Coordination Committee mediated between the government and the street vendors

and the Chief Minister, Jyoti Basu allowed the vendors to continue business within the city's highest security zone. Until the late 1960s many of the vendors offering meals in this area were from the Odhiya Brahmin communities living in the catchments of the Bhawanipore area. Earlier they used to serve to the large upper-middle class households at Bhawanipore. With the break-up of these families, the professional Odhiya cooks started finding livelihood here. Namasudras were late entrants to the area. Between Fort William and Birla Planetarium and Rabindra Sadan, one can find numerous food street vendors selling both fast food and lunch comprising rice, vegetables and fish, even today. Here, one finds a number of Bihari and Uttar Pradesh vendors offering North Indian food. These street vendors operate from late afternoon to late in the night. Initially they were attracted by the potential market created by a large number of visitors to the Indian Museum near Esplanade. In Khidderpore, the main concentration of street vendors can be found at the crossing of the Diamond Harbour Road and Khidderpore road. Here also, as Dasgupta (1992) mentions, one can find the clustering of street vendors in the vicinity of the main retail market of the area. While the street vendors in Khidderpore were largely Muslims from other provinces living in Kolkata for generations, the street vendors in Diamond Harbour road are largely Namasudras and ex agricultural workers belonging to various caste groups, but more numerous to the Paundra (Dalit) community from the South 24 Parganas.

The spread of the street vendors in the refugee areas from the south of Jadavpur to Garia station and in Tollygunj areas took place largely between the last few years of the 1960s and continued to spread until the end of the 1990s. It often so happened that the refugees started opening shops on the roadways which then ultimately converted into market places as mentioned above. Alternatively, the sellers were given allotments to the market places once they were in existence. Most of the early sellers were from the refugee residents of the neighbourhoods. The street vendors in the refugee areas of the catchments of Tollygunj and Jadavpur started emerging since the early 1980s once these markets got saturated. By the 1980s, these neighbourhoods also experienced profound transformation. The second generation of the refugees was progressively absorbed in the city's middle class and lower middle class neighbourhoods and following the formalisation of the land rights, these neighbourhoods started attracting middle class citizens from various parts of West Bengal. The street vendors who emerged in the 1980s were no more

the earlier refugee residents of the same area. The main street has been converted to just an extension of the market where one would find tones from Bangladesh as well as the tone familiar to the vendors coming from Baruipur, Lakshmikantapur and Diamond Harbour.

*In the mid-1990s*, however, once again, eager to regain the support of the urban middle classes, the communist-led government of West Bengal made an all-out effort to make Bengal a safe investment destination. As a part of urban restructuring, in 1996, over a period of two weeks, in a well-planned and coordinated action called ‘Operation Sunshine’, municipal authorities and the police demolished all street-side stalls in Kolkata. In 1997, the state legislature brought about an amendment to the Kolkata Municipal Act that declared any form of un-authorized occupation of streets and pavements by street vendors was a cognisable and non-bailable offence (The Calcutta Gazette, 19 November 1997). But, within a few months the vendors began to reclaim their previous positions, mobilised by their unions, opposition party and even by the smaller constituents of the ruling Left Front (Newsweek, 28 July 1997). The government had to think again of regulation of hawking as opposed to eviction and rehabilitation.

A couple of factors at work since the late 1990s played a significant role in augmenting change in street vending. First, series of demolition drives and the arrival of the networks of flyover in some of the most congested intersections of the city between the last few years of 1990s and the first few years of 2000s changed the look of street vending in some of the major intersections mentioned above. In Gariahat, for instance, the sprawling boulevard that used to host thousands of street vendors was buried under a massive flyover that changed the visual texture of the area beyond recognition. Earlier in early 1980s, the construction of a multi-route flyover covering three sides of Sealdah station led to a massive restructuring of small trade in the area. The construction of the A. J. C. Bose Road flyover in early 2000s provided a massive roof to a great part of the road. The flyovers were constructed to generate vehicular speed bypassing the mundane shabbiness of intersection. In the name of producing differential mobility, the flyovers destroyed much of the road underneath them with pillars permanently obstructing traffic at the centre of the streets, throwing vehicular traffic towards the margins of the road. This in turn led to the thinning out of the width of footpaths in favour of vehicular traffic. Thus, the arrival of flyovers and a systematic abolition of tram-track boulevards in many streets of Kolkata gradually

restructured the street economy that flourished along with the early 20th century layout of streets.

A second factor that contributed greatly to the transformation of street vending in the inner-city region was the arrival of shopping malls since early 2000s marking the beginning of a retail-chain era in the city. In the intervening period between early 1980s and late 1990s major expansion of vending took place in three contrasting clusters along Raja S. C. Mullick Street between Selimpore in the North and Garia in the South, along the Eastern Metropolitan Bypass between Ruby General Hospital in the North and Patuli in the South, and in the vicinity of the new city at Salt Lake. It appears that ever since the failure of the Operation Sunshine, the state government and the Corporation are more calculative about hawker eviction in the inner-city areas. Given the current scenario, moves of eviction are likely to be undertaken in these fringe areas, where street vendors are yet to develop a long-term relationship with newly emerged housing societies. These societies appear to be more organized in their collective opposition to street vending and more self-sustained in terms of their need to access everyday services.

The city has changed in the past two decades. When we use larger frameworks of globalization, neoliberalism, post-Fordism or capitalism, and so on, dynamics of everyday life in the city is lost. Often, scholars take the street, the footpath, the bazaar for granted as sites of major transformation without paying attention to how such spaces and transformations are experienced and inhabited. Scholars attempting to challenge dominant models of urban reconfiguration nevertheless take for granted that constituent elements of the city, such as streets and markets, are undergoing huge transformation. As Anjaria (2008) has pointed out that it is necessary to bring the ontology of shopping malls in conversation with the ways in which the built form in question undergo cultural transformation and acquire culturally specific meanings through a diverse range of use. It is important to track how the street and the mall come to produce a spatial complex where the difference in their built forms actually enables a certain continuity of experience possible. The mall which attempts to reformat retail-scape in the city does not automatically swallow other practices of retail. In fact, introduction of malls created the possibility for a new concentration of street hawking in its neighbourhood. Malls generated a desire for luxury goods that ultimately promoted the counterfeit goods sold by many street vendors. A number of people in fact go inside the mall to see commodities. But, they come out

empty-handed and buy similar non-branded goods from the adjacent footpaths. In addition to this, shopping malls create pedestrian traffic on the streets. This led to new demands for fast food in the neighborhood. For example, before the advent of the South City Mall, there were only a few low-cost eateries in the adjacent sidewalk, mostly selling staple food to transport workers. This was the site of a former factory, and a few mini buses were garaged there. But now street vendors boom in the area started and they are working according to the mall's timing to target customers.

Several cases are pending in court against street vendors in the city. According to Subhas Dutta, an environmental activist, the state would have to prove before court that its decision was valid. Further, he had in 2003 moved a PIL in the high court seeking an order to end hazards faced by pedestrians because of encroachments of footpaths. In 2005, then Chief Justice S.S. Nijjar had set up a committee of three lawyers, asking it to file a report on street vendors. Based on the report, the court had directed the government, city police and the KMC to remove street vendors from eight thoroughfares - KK Tagore Street, NS Bose Road, Brabourne Road, Strand Road, Rabindra Sarani, Kalakar street, Mahatma Gandhi Road and AJC Bose Road. However, the order was not carried out. According to the civic authorities, history does not inspire confidence either. Several drives have failed to restrict vendors on the pavements. In 1996, the then Left Front civic board had launched Operation Sunshine to remove street vendors from various important thoroughfares of the city. Another Left Front board in 2006 had decided that street vendors would not be allowed to occupy more than a third of the pavements, sell wares within 50m of road crossings, and build permanent structures- the drive soon fizzled out.

With the coming of the Trinamool Congress government in 2010, the issue of making Kolkata a world-class city began. Since its formation, the new West Bengal government began announcing its urban vision of converting Kolkata into a world-class city, with London as its model. Accordingly, it has been formulating a series of plans to reconstruct new spaces in the city for beautification and up-scaling through numerous projects. Several parts of the city are getting reserved for smartening and a number of buildings are being given a face lift. The Ganga riverfront is being developed as an expanded space of leisure, a number of entry gates are being planned in different locations, unused tram compartments are getting converted into cafeterias or banquet halls, vigorous drives have been launched to give a free hand to real estate for

constructing gigantic commercial and residential complexes in discrete locations, often displacing the poor who have been living and working in these areas for decades (Banerjee 2003). In 2010, then Advocate General, Balai Ray had told the court that his government had made a draft policy on street vendors. But the Left Front was ousted from power before the policy could be implemented (The Telegraph, 14<sup>th</sup> March 2015).

In 2010, the West Bengal Cabinet has approved the draft bill of West Bengal Urban Hawkers Policy which incorporates issues raised by various organisations and trade unions. The policy is on the lines of the National Vendors Policy 2009. Under the policy, four-tier committees would be set up with Chief Secretary and an advisory committee headed by the Municipal Affairs Minister. Implementation would be through Municipal Vending Committee which would have 40 percent representation of hawkers with one third representation of women. Free vending zone, some restricted vending zone and non-vending zone would be identified where two-thirds of the pavement will be reserved for the pedestrians and street vendors will occupy only one side. Plying of trades, involving food articles and fireworks, would need separate licenses from the respective departments. The proposed policy also incorporates various social benefits like inclusion in PF, pension, free-education and mid-day meal for hawkers' children. The state had first outlined its tentative policy on hawkers in 2010, which was approved by the Cabinet on April 20, 2010. Later, the government invited comments from the trade unions and police and fire department (The Hindu, Oct 20, 2010).

*In 2015, Chief Minister, Mamata Banerjee promised legal rights to street vendors who have taken over pavements and even carriageways, a decision that spells disaster for all pedestrians and motorists. She has pointed out, 'Ami hawker uchhed chai na. Ami hawker der ainoto adhikar dite chai jatey bhobishyote keu aapnader tariye dite na pare (I do not want to remove street vendors. I want to give street vendors legal rights so that nobody can remove you)'. This was promised as a part of an interaction between the Chief Minister and vendors at Nazrul Mancha, Kolkata (AITMC, March 12, 2015). This has raised questions regarding stopping proliferation of street vendors once existing street vendors are given license. To this, the state officials have said that Chief Minister's announcement have encouraged more people to set up stalls on pavements and roads. It looked like one just has to usurp a piece of land on a pavement by feeding the*

police-politician nexus. However, the Chief Minister said that only those who had a stall till March 13, 2015, would be given license but there was hardly any mechanism to stop proliferation of street vendors. Interestingly, CM has also said that she has conducted a survey done by police in 2014-15 to get a census of the street vendors. However, no official data was found on the same. Further, CM gave official sanction to the estimated 2.75 lakh street vendors occupying the city's pavements, promising them free trade licenses and sheds in partnership with the Trinamool-run government. The issue of identity cards seems to hold no promise of regulating the chaos on Kolkata's pavements. Instead of helping to resolve the encroachment problem, the cards may throw open the floodgates for more to join the trade in Kolkata. New areas could still be encroached and the number of street vendors, too, would keep spiraling even after the cards have been distributed in phases, according to the street vendors unions. Hawker Sangram Committee has moved a writ petition before Chief Justice, Manjulla Chellur and Justice Joymala Bagchi that KMC's move on registration and issuing license is illegal and has violated not only Apex court regulations but also the Street Vendors Act 2014. Further it was pointed by the HSC counsel that KMC do not have the authority to register street vendors on its own rather it is done by TVC which has not yet formed in West Bengal (The Times of India, July 16, 2015).

Mayor Sovan Chatterjee made it clear that the civic body was determined to bring about a change in today's hawking scenario. According to him, the state is not only ensure livelihood for vendors but also keeping in mind pedestrians rights. While a section of street vendors welcomed the decision, some traders felt it was too early to comment on the policy. For example, Debraj Ghosh, a leader of HSC from Gariahat said that they have already asked vendors in Gariahat to abide by the rules and want to cooperate with the state. Ashok Gupta, the President of Esplanade SS Hogg Market Traders' Federation, however, said that the decision sounded good for them, but they would not comment on till its implementation (The Times of India, May 21, 2015).

In 2016, during demonitisation, claiming that business has fallen by 75%, vendors mobilized by Hawker Sangram Committee burnt effigy of Prime Minister Narendra Modi. The main issue was how demonetisation policy was simply implemented to promote online business at the cost of the informal economy (India Today Live, November 24, 2016). In 2016, vendors in the railway platforms of Baruipur turned violent due to an

eviction drive conducted. They were affiliated to the INTTUC. While vendors maintained that they will not allow railways to evict them from the railway station, the railway authorities had to ultimately give up and postpone the eviction (DNA, June 4, 2016). Further, they squatted on the railway track to prevent normal functioning of the trains. Later, they moved on to an adjacent ground belonging to the railways and staged a sit-in (The Hindu, September 16, 2016). Moreover, in 2016, state Urban Development Minister, Firhad Hakim, handed over the keys to 77 street vendors who had been allotted stalls in a specially designed food plaza (Unitech, Gate 2) in New Town (Times of India, December 31, 2016). In 2017, acting on the TOI expose on sections of pavements being sold for lakhs at New Market by street vendors, there was a raid conducted by the Kolkata Police. However, it turned out to be a farce as the evicted vendors returned to the spot right after the raid. Some claimed to have political affiliations for which the raids will be ineffective to evict them (Times of India, March 20, 2017).

### **Formation of the Apex Committee**

In 2005, a committee was formed under the chairmanship of the Mayor of Kolkata which has included three Mayor Member in Councils (MMICs) (MMIC- Road, MMIC- Basti/Slum and MMIC- Conservancy), representatives from Central Trade Unions and other Hawker Community based organisations, independent hawker unions and Police Commissioner or representatives from Kolkata Police. Main aim of the committee is to implement the national policy on street vendors. The implementation at the municipal level was not only done by the Apex committee but also by a second committee known as Borough committee- which was formed in each borough of Kolkata Metropolitan area. This committee was formed with the representation of Councilors, Municipal Authorities, Kolkata Police, and local street vendors' unions/organisations.

Some of the key decisions taken in the Apex committee were:

- No permanent structures would be allowed to be erected by the hawkers.
- No hawkers would be allowed to encroach on the carriage way.
- No hawkers would be allowed within 50 feet of the road crossing.

- 2/3<sup>rd</sup> width of the footpath to be kept open for movement for pedestrian and hawking would be restricted within 1/3<sup>rd</sup> width of the footpath subject to the width of the footpath and need of the pedestrian movement.
- Three committees will be formed- one at the central level, one at the local level and another one is the advisory committee of the Mayor.

The central level committee is the Apex committee and the local level committee is the borough committee. Both these committees have conducted several meetings over a period of 5 years and discussed issues pertaining to eviction, measurement of the footpath, rehabilitation of street vendors in different locations and issuing of identity cards. In the beginning, it was noted that few street vendors have maintained the rules formed by the Apex Committee; however, it is not maintained at all by vendors in the present times. With the coming of TMC in 2010, the Apex committee got dissolved and meetings are not conducted any longer pertaining to the issue of street vendors.

### **Formation of the Hawker Sangram Committee (HSC)**

With the official declaration of Operation Sunshine, the non-(CITU) hawker unions (32 in number) decided to form the Hawker Sangram Committee (HSC). HSC and CITU took two different strategies to counter the operation. For obvious reasons CITU could not directly confront the state. The HSC, on the other hand, took a confrontational path. As the operation progressed, HSC staged daily protests stopping traffic at key intersections, burning buses, protesting in front of police posts and moving to the court seeking a redressal (HSC 2006: 1-7, Bandopadhyay 2007).

Operation Sunshine was followed by selective rehabilitation of the evicted street vendors. This rehabilitation process was controlled by the CPI(M) leaders throughout and marked by personalised calculations of local power by regime functionaries (Anandabazar, 23 January 1997). Still it was seen that street vendors had come back even in those streets which the government banned as non-vending zones. This coming back was one the biggest victory of HSC. In the decade following Operation Sunshine, which saw no major eviction-operation, HSC's protest had transfigured into a new form in which the state and HSC have come to constitute each other. Keeping administrative and electoral necessities in consideration, the state and the ruling party have come close to the organisation. The HSC, today, is to be kept in full

confidence before implementing any regulation on street vendors. It enjoys enormous authority in managing the informal labour market and other informal transactions related to hawking and issues of governance (Bandopadhyay 2007).

### ***Functions of HSC-***

- Ensuring credits from informal bankers. The HSC acts as the guarantor.
  1. Negotiating with the lower rung of the city administration. The HSC, in connection with the lower rung of the bureaucracy fixes the amount of weekly bribe that a hawker is required to pay.
  2. Settling conflicts among the street vendors themselves and other informal groups on the pavement. The HSC controls the buying and selling of the pavement plots and allots space for pavement dwellers, vagabonds and beggars.
- Regulating the number of street vendors who can operate in a given area. While it prevents the entry of newcomers in order to ensure that business-profitability is not endangered, it also accommodates fresh entry if business is doing well in a particular area.

Hawker Sangram Committee has spread its wings at the national level as well. National Hawker Federation (NHF) is the largest Federation of different street vendors' and street-vendors' unions, organizations and associations. It is active since 1999-2000 and currently 1187 independent unions, organizations and associations along with 11 Central Trade Unions and affiliated hawker unions constitute the National Hawker Federation. NHF is presently active in 27 States and 2 Union Territory of India particularly powerful in West Bengal, Bihar, Jharkhand, Arunachal Pradesh, Manipur, Meghalaya, Maharashtra, Kerala, Telengana, Delhi, Uttarakhand, Odisha. According to NHF, street vendors provide services to every strata of the society and almost 75% of the of the country's population. NHF is also concerned about health hazard of street vendors, for example, according to NHF's report, street vendors are emitting zero carbon or minimum carbon but they are hugely affected by the carbon emission and climate change. Given the gender disparity in street vending, NHF report has pointed out that there are 35% to 40% of women in this informal sector. Therefore, National Hawker Federation has decided to organize women hawker and formed All India Women Hawker Federation for the empowerment and to establish the rights of women. NHF also feels that for street vendors' safety and smooth

functioning of this largest informal sector livelihood activity, a bill for their regulation and protection is important.

**Main focus of NHF-**

1. Proper and Effective implementation of Street Vendors Act 2014
2. To make Central Task Force for the Implementation of the Act.
3. There should not be any eviction/harassment/bribe.
4. To give houses to the street vendors under the Pradhan Mantri Awas Yojna.
5. To include street vendors in E.S.I for the health services.
6. To make Street vendors Welfare Board for social security services.
7. NHF is also fighting against international financial institutions (World Bank, ADB etc.) and challenging their development paradigm.

The next section deals with the description the selected field sites in the city and its periphery.

## *Chapter 4: Description of Field Sites*

### **Gariahat**

Gariahat falls under Ballygunge area and is a retail market for saris, electronics, and restaurants. It is one of the main roads of South Kolkata that starts from Ballygunge Phari-Hazra Road crossing and from there travels southwards towards the Gariahat market. Many handicraft and textile emporiums of government can also be seen here. A huge number of jewelry shops are also located here. It connects to/intersects some of the most important roads of the city namely Ballygunge Circular Road, Gurusaday Dutta Road, Hazra Road, Rashbehari Avenue, Southern Avenue and Prince Anwar Shah Road. Smaller roads like Garcha Road, Dover Lane, Hindustan Road, Ekdalia Road and South End Park originate from Gariahat Road. Given its geographical and spatial location with a wide stretch of window shopping on the streets and pavements, Gariahat has more than 4500 street vendors for over three decades. It is located in a busy residential as well as institutional area where schools and colleges are located such as- Lake School for Girls, South Point School, Basanti Devi College, Murlidhar Girls College, Charu Chandra College and Ramkrishna Mission Institute of Culture. An upper middle class Bengali population can be located in this area.

History of street vending in Gariahat began before independence of India but gained importance from 1950s. It started as a cluster around the Gariahat municipal market. At an early stage, there were two distinct groups of street vendors. The fruit and the vegetable sellers clustering around the market were all migrants from the neighbouring districts of Kolkata or from Bihar while migrants from Bangladesh took to trade in textile, predominantly in traditional handloom saris (Dasgupta 1992). Those who are found between both sides of the stretch of Rashbehari Avenue from the Gariahat intersection in the East to Basanti Devi College in the West are exclusively from various Bengali middle caste groups (such as Tanti, Sadgop and Tili) occupying the footpaths in the late 1960s. They come from the established weaving, artisanal and peasant communities. They are inserted in various networks of weavers spreading mainly in Nadia and the two 24 Parganas. They buy products in bulk from the wholesale garment traders who assemble every week in Burrabazar and Howrah Haat. These wholesale traders have fairly stable

relations with thousands of weaving houses in Nadia and 24 Parganas. Street vendors who occupy both the edges of the Rashbehari Avenue between the intersection in the West and the Sen Mahasay sweet store in the East sell lower end garments. Their investments are lower and they generally commute from the southern hinterland of the city belonging to various lower castes of West Bengal. The largest concentration of the Namasudra (the largest dalit caste in West Bengal, who migrated from the Bangladesh successively and continuously between 1962 and 1981) garment street vendors is in the Gariahat Road between the intersection in the North and the Golpark in the South, in the opposite side of the Axis Bank. Their investments are also lower compared to the street vendors who are found between the intersection and Basanti Devi College. The Namasudra garment-street vendors do not generally sell saris. They keep export reject trousers, under-garments, dupattas, and various other garments for everyday household use. They also sell woolen garments every year between November and February.

The growth of refugee populations in this area in the first two decades following independence also coincided with the ongoing rural-urban migration, mainly from the southern districts of the state of West Bengal. The migrants from the rural hinterland of the city occupied lands along the railway track between Tollygunj and Ballygunj. With the growth of a substantial lower class and lower middle class population in the vicinity of the Gariahat crossing, a parallel economy of low end products started developing on the streets and footpaths. By the 1970s and 1980s, the number of street vendors had grown to a few thousands within a hundred metre radius of Gariahat crossing, as had the diversity of commodities. Now, on the footpaths along all four directions from Gariahat crossing, stand innumerable vendors peddling the most disparate array of goods one can think of- from glass and ceramic items to mill and handloom textile products, food to pens, and envelopes to lottery tickets, plastic curtains, table cover, table mat etc. and a newly opened plastic bottle, container, seasonal fruits, CD/DVDs, mobile phone accessories, ladies bags and sandals, long scarves (dupatta), artificial jewelry-earrings, necklaces, latkan (part of women's clothing), plastic household items (bottles, bowls, plates, spoons), mehendi designing for women, sarees, garments and small scale restaurants and tea and soft drinks, cigarette joints. The flow of a diverse range of goods in Gariahat makes it a part of several larger and complex commodity cycles. To the primary producers, street vendors often act as an

alternative to the organized chains of powerful intermediaries that mediate between the multitude of primary producers and the vast and variegated army of consumers.

On an average, a street vendor earns a minimum of Rs.10,000/day to a maximum of Rs.40,000/day (especially during festivals). System of employing helpers/assistants is present in the market on a daily wage basis ranging from Rs.250/day to Rs.500/day. We found that there existed an employment cycle in the sector. During two festive seasons (one during the Durga Puja and another during the Chaitra Sankranti/Bengali new year between April and May), street vendors tend to employ a significant number of labourers as assistants especially in the stalls selling garments to manage buyers. We also found that a significant portion of these labourers were not related to the owner street vendors through blood and family relations, which implied the existence of a wage relation among those who sell on the footpath. About extending stalls or sharing stall spaces to expand business, the stalls hardly appeared to be an extension of the street vendors' family enterprise with a perfect collapse of the employers and the employees in the figure of the street vendor.

Gariahat is one the markets who have experienced eviction at a major level during 1996-97, Operation Sunshine. Pavements were cleared of street vendors and were not allowed to construct any kind of stalls. It was an initiative taken by the former ruling part of West Bengal, the leftist party. At that time, around 2000 street vendors were evicted who lost their livelihood. Mass scale protest took place in Gariahat by the street vendors which gave birth to Gariahat Indira Hawkers Union (GIHI). Along with GIHI, Hawkers Sangram Committee (HSC) was established and participated in the protest movement. In the process, many street vendors who came from Bangladesh had to move back to their country of origin, many have also committed suicide as they lost their livelihood while others started going back to their original stall spaces. Those who went back to their original stall spaces, post eviction, are the ones who rose to power, eventually. They are now the older street vendors in the area who have experienced Operation Sunshine and changing market scenario. Post Operation Sunshine, street vendors were given rehabilitation, i.e. new shops were constructed in EM Bypass-an outer ring road, in Kolkata. However, street vendors were reluctant to shift in the fear of losing their customers as Gariahat is one the busiest junctions.

Construction of GolPark flyover is another spatial change after the construction of Gariahat hawkers market, where street vendors were removed from the flyover side to the pavements. They were not given any particular space, hence a lot adjustments and re-shuffling happened during that time. Stalls are congested at the junctions, some of them have expanded to the main roads, causing hindrances for the civilians to walk. However, Gariahat is the only area under study, who has maintained the rule of formal regulation made in 2005 by the government of keeping 1/3<sup>rd</sup> space for street vendors and 2/3<sup>rd</sup> space for pedestrians on the pavement. However, it is not maintained uniformly due to uneven width of pavements.

Four unions operate in this area, of which Gariahat Indira Hawkers Union (GIHI) is the dominant and active. It jointly works in association with HSC. Since this area has witnessed major eviction drives, therefore, social composition of street vendors kept on changing from time to time. Previously Bangladeshis, who have always identified them from Kolkata are present, but now one can also see an influx of street vendors from Bihar and Uttar Pradesh, who are relatively new into this profession. Older vendors who are also a part of GIHI, tend to rise in power and hierarchy, therefore, decides on the entry of new street vendors in their area. This category of older street vendors has good rapport with the police and representatives of the state. Bribe is a common phenomenon in the area and monthly a lumpsum of 2 lacs goes as bribe to different authorities to sustain their spaces to continue their business. Other than that, GIHI also organizes monthly meetings with fellow street vendors so that they are aware of the current court proceedings on TVC and formal regulations.

### **Esplanade**

Esplanade area is situated at the border of the Northern and Southern part of the city. It is mostly the South-Central part of Kolkata. The history of street hawking in this area dates back to a time when the area hosted a massive bazaar of fish, meat and vegetables. In fact, one of the first police records on the street vendor problem comes from the Esplanade area. As early as in 1867, the regular vendors of the Esplanade bazaar submitted a memorandum to the Commissioner of Police Stuart Hogg, reporting ‘several instances of encroachment of public spaces by street vendors in the vicinity of the bazaar, diverting potential and regular clients of the bazaar vendors’ (Circular Order of the Commissioner of Police, No. 97 dated 19 November 1867 and

Annual Report on the Police in Calcutta, 1868). The bazaar was subsequently acquired by the city Municipality (Goode 1916). The bazaar was kept open after acquisition, and in 1891 the construction of a huge new building was completed, with much of the rest of the surrounding land auctioned off. The building hosted many of the old retailers of the Bazaar but the fact of enclosure excluded many of the traders of the old bazaar. The market was named after a British Police Commissioner, Sir Stuart Hogg (Goode 1916). The walled and roofed Hogg Market imported several new dimensions in the retail culture and market aesthetics of the city. As in the case of the shopping malls of the 21<sup>st</sup> century, this market was advertised and justified on the grounds that it represented the global trend of market design to transform the nature of public consumption in the city (Goode 1916). The Hogg Market soon became an important retail node in the global commodity chains and of the aesthetics of retail organization.

Gradually, the Esplanade area became the centre of commercial, transit and administrative activities. Historically, between 1950s and 1970s, this area began to host numerous street vendors offering a mind-boggling variety of commodities and services which still continues even today. The list includes fresh fruits, fruit juice, garments and shoes, leather bags and purses, handloom cotton and silk, glass and ceramic objects, junk jewelry, CDs and DVDs, and secondhand books, glass bangles and kitchenware and household essentials, herbs and spices, cooked food, cigarettes and cold drinks, and recycled and secondhand articles (Dasgupta 1992). This wide diversity of products has developed over the years as street vendors have adapted themselves to greater competition and changing consumer demand. Diverse commodities and services and billboards advertising new movies, political parties, and loud sloganeering constitute the central part of the experience of street life in Esplanade. Shopping in Esplanade, as in any other bazaar street, involves a series of micro maneuverings from the part of buyers and sellers. Here, the degree of selling depends on the particularities of display as well as the seller's ability to convince the customer. Alongside, a street vendors market was also constructed in the 1980s where shops were given on first come first serve basis. There is no official record of the same.

Historically, the side of Jawaharlal Nehru Road has been populated by refugee street vendors who came in the late 1950s and the early 1960s. Some of them found rehabilitation in the Bidhan Refugee Hawkers' Market situated between the Jawaharlal Nehru Road and the Esplanade Bus

Terminus-the largest bus transit point of Kolkata. In Esplanade, street vendors are spread across the entire area starting from Lindsay street, in front of KMC building, surrounding Sir Hogg Market, in front of The Grand Hotel and to the opposite side- CTC Bus stand (which is under the regulation of the Armed Forces) to The Indian Museum. Socio-cultural composition of street vendors in Esplanade area is- mainly migrants from Bangladesh, Bihar, Uttar Pradesh and Rajasthan and parts of West Bengal have come to this area and started setting up stalls. Street vendors mostly speak in Hindi and Bengali. Mainly young street vendors are found in the area who could be the owner street vendor/a second generation who is looking after his father's stall. If religious identity is accounted for then it is mostly dominated by street vendors from Islamic faith. Around 8000 street vendors are practicing their everyday livelihood in Esplanade area. However, there are no official documents found about the same. It is based on the oral narratives collected from the street vendors and situational conversations with other stake holders on the street. Most of them are living on rent in the nearby areas for easy commuting purpose. A street vendor earn on an average of Rs.10,000/day which goes up to Rs.50,000/day during festivals (such as Durga Puja and Ramzaan). Every year temporary stalls are set up by mobile street vendors in front of Babar Ali shop, for one month, during Ramzaan selling garments, food, snacks, artificial jewelry and chappals. It is mostly controlled by local unions and local councilor. Mostly this group of street vendors comes from fringes of the city for a month. Generally, keeping assistants in the stall is a show of upward economic mobility- the more the assistants, the more respect is given to the vendor. Assistants are hired on a daily wage basis ranging from Rs.100 to Rs.500. Recently, Esplanade Sir Hogg Market Association felt threatened when a street vendor bought a shop inside the market after it was auctioned off to 97 lacs. This is one such recent developments happening in the area.

Several unions are operating in this area such as AITUC, TMC and HSC and they organize monthly meetings with the street vendors. Older street vendors became the point of reference for new street vendors who get entry passes to establish business in Esplanade. The older street vendors have built good rapport with civic authorities to sustain the space to practice livelihood hence it becomes important for a relatively new individual to take help of the older street vendor to enter or sometimes even to expand the business. Bribe is a regular phenomenon in this area which ranges from Rs.50 to Rs.500 per day depending on stalls and their daily turnover. There is

no particular criterion of becoming a local 'dada' or a boss from among the street vendors. It is merely the amount of time spend in one place and interpersonal networks built in the process. Therefore, the decision makers are those local 'dadas' who has immediate micro level connections with the local councilors and police. During late evening hours, one can also see groups of individuals collecting money from street vendors. They were the original street vendors who, at present, rent their stalls to other individuals and remain invisible in the forefront. Not only old street vendors have expanded their business but new street vendors are also coming in this area as it attracts a wide range of customers given its busy geographical location.

Street vendors in Esplanade have faced brutal harassments during Operation Sunshine when all of them were evicted over night by the authority. Many who came from Bangladesh had to go back to their places of origin as there was no alternative means of livelihood present at that time. However, street vendors seem to have made their way back to the same spaces with temporary and semi-permanent stalls right after eviction. Basu and Basu (2016) has pointed out that 80% of them came back not only in Esplanade but also in other areas. Interestingly, in this area, many street vendors are not aware of the new policy declared by the Chief Minister that says, there will be no eviction without proper rehabilitation (as mentioned in the previous chapter). This category is so self-sufficient in themselves that they do not want to be aware of welfare schemes, regulations and laws. They are mostly dependent on micro level networks such as local 'dadas'/union leaders/local councilors.

### **Hatibagan**

Hatibagan is a neighbourhood in North Kolkata. The area is under Shyampukur and Burtall police stations. It is next to Shyambazar. The place is popular for its shops, markets, Cinema halls and old theatres. No other places in Kolkata cover as many cinema & theatre halls as Hatibagan. One of the most popular and famous cinema halls here is the Star Theatre, with many people in North Kolkata choosing to watch films there instead of multiplexes because of its low ticket prices. Hatibagan is one of the oldest traditional markets in Kolkata city, 97 years old in 2009. Two major roads those cross through Hatibagan are Bidhan Sarani & Aurobindo Sarani (formerly Grey Street). Hatibagan and Shyambazar broadly covers Ward Nos. 11 and 12 of Kolkata Municipal Corporation.

There are two main views on the etymology of the name Hatibagan. Hati means elephant, Bagan means garden. According to one view, the elephants of the Nawab Siraj ud Daullah were posted here when he attacked Kolkata in 1756. Another view suggests someone with the surname Hati had a villa with garden in this area, leading to the name. The villa was bought by Mehtab Chand Mullick who initiated the market (Kolkata Police Archive 2007). A major portion of the market was gutted in a fire on 22 March 2012. We have chosen to study the entire long stretch from Aurobindo Sarani to Bidhan Sarani with a population of 3000 street vendors. However, there are no official documents available for the same and is based on oral narratives by the respondents. North Kolkata's middle class population dominates the residential area in Hatibagan. Here, street vendors sell a wide range of items- plastic household items (bottles, bowls, plates, spoons, mats), tea, water bottles, bread and omelet, clothes for deities-mostly Lord Krishna, shirts and kurtas for men, junk jewelry, hairclips and rubber bands, and winter garments. A street vendor earns an average of Rs.5,000/day normally to a maximum of Rs.30,000/day during festivals. Hiring assistants is prevalent with a daily wage of Rs.100/day to Rs.200/day. Here street vendors are mainly from Kolkata with a considerable percentage of population from different districts of West Bengal and very few are from other parts of the country. Street vendors mostly speak in Bengali.

Two main unions operate in this area- Hawker Sangram Committee (HSC) and TrinaMool Congress (TMC). Interestingly, majority street vendors were members of CP(IM) before coming of TMC in 2011. Presently, majority of the members are registered under TMC local union. Similar to Gariahat, Hatibagan experienced massive scale of eviction during 1996-97, Operation Sunshine. The phenomenon went on for about 3 months where street vendors were evicted and entire stretch from Bidhan Sarani to Aurobindo Sarani was cleared off temporary and semi-permanent stall structures. HSC has played an important role during that time by doing large scale protests marches. As a part of the rehabilitation process, government made barracks in Grey Street (an adjacent area) to shift street vendors from pavements to permanent shops. However, the idea of rehabilitation failed as street vendors showed reluctance in shifting to a new space in the fear of losing customers as Hatibagan attracts huge variety of customers. Grey Street is famous for Sunday pet market that includes animals, birds and plants. Currently, the barracks are taken up illegally by scavengers and other homeless people with a minimum

monthly rent to the authority (informally). Post Operation Sunshine, many street vendors have left the market for lifetime. Many items such as flowers and fruits have disappeared from the market because street vendors who sold them have either shifted their base to other markets or have changed their business. Older members tend to rise in power over time and decide on new entries into the market. Sometimes they also decide the space for a new street vendor to set up his/her stall. This system is informally conducted throughout the area. Police collects an annual amount from each street vendor during Durga Puja. This is one of the ways of building rapport or network with the civic authorities.

### **Unitech Gate 2, DLF Gate 1 and Green Field Heights in New Town, Rajarhat**

New Town, is a fast-growing planned satellite city and a neighbourhood of Kolkata, located partly in North 24 Parganas district and South 24 Parganas district of West Bengal. This new information technology and residential hub consists of areas of two erstwhile villages Rajarhat and Bhangar, which is now a statutory planned development area. The area mainly consisted of huge acres of cultivable lands and water bodies, which have been acquired and developed in a planned manner.

Therefore, it is a combination of a newly planned roads, gated communities and villages. The process of investing in residential and industrial facilities and infrastructural development of the area has mainly started in the late 1990s. The master plan envisions a township which is at least three times bigger than the neighbouring planned Salt Lake City. The New Town (Rajarhat) has been also declared as a Solar City by the previous UPA government at the Centre and now the initiatives are being taken to declare this city as Smart Green City, a dream project of Narendra Modi with the help of government of West Bengal according to a proposal submitted by Mamata Banerjee (Chief Minister of West Bengal).

The Housing Infrastructure Development Corporation (HIDCO) plans and executes development projects in the entire 6,000–7,000 hectare area in Rajarhat. The erstwhile planning area of HIDCO is divided into four Action Areas ie. Action Area I , Action Area–II , Action Area–III & Action Area –IV. There is another area in between Action Area I & II- Central Business District (CBD). HIDCO is trying to develop Rajarhat, New Town as a futuristic smart city. HIDCO has prepared a plan and it is developing all infrastructures like roads, drains, sewerage line, water

supply lines, major beautification works and other related major works as per master plan. With multinational IT giants are setting up campuses in the area, the civic body wants to make infrastructure full proof. HIDCO has decided to install the Geographic Information System (GIS) to have a complete computerized database of Rajarhat. This will help integrate the database on the number of house owners, property tax, mutation, building construction as well public utilities. This will help planning services for New Town.

We have selected three sites/areas in New Town- *Unitech, Gate-1, DLF, Gate-2 and Green Field Heights*, locally known as *Atharola* (eighteen floors). Street vendors market in front of *Unitech, Gate-1* is an important area because temporary and semi-permanent stalls were demolished by HIDCO and two years ago and a new permanent street vendors market has been built as a part of beautification process. Photographic survey was done to issue stalls to street vendors on a first come first serve basis with a monthly rent of Rs.340 from each stall to be collected by HIDCO. It was noted that everyday during the photographic survey, a new street vendor was seen in the area so that s/he is also included in the list. Stalls were divided spatially into categories and block wise- 6 blocks and 3 categories of stalls. For example, Category A stalls were towards the front and is meant to serve food items, hence needed more space to cook and serve. Category B stalls could also serve food items but at a lesser scale (snacks mainly) so the space for B is little smaller than that of A. Category C stalls are meant to serve tea, coffee, biscuits and cigarettes and they were put at the back in each block in the market. There is enough space for sitting arrangements for customers in each block. At the backside of the market, public toilets, cleaning spaces for food items and a generator room was constructed. Unitech's employees prefer to eat from the stalls as prices are cheaper with a variety of items available. However, few street vendors are not happy with this type of arrangement as they were not given their desired category of stalls as per their selling items hence they compromised and changed their course of business. Next, few street vendors have expressed their apprehension towards the fact that market is not located at the junction, customers had to cross the road to reach the place and the divider for crossing is not in front of the market, hence they felt that they might lose customers. For beautification purpose, HIDCO has also built small garden area in front of the market which made the street vendors unhappy because now they will lose on the flying customers. Among street vendors, many stalls in each category were running on rent- a process of sub-let. Original

owner street vendor has sub-let his/her stall on a much higher monthly rent. Street vendors from Bihar, Jharkhand, North Bengal, Odisha, Delhi and Rajasthan are seen hawking from these stalls is sometimes the second category of street vendors.

*DLF, Gate-2* is an important site because street vendors have built their stalls using the flyover's construction as one of the walls of their stalls. As the flyover descends, the ceilings of the stalls were seen to be decreasing in height. At the end, there is an office of TMC which is also the local union in the area. Essentially food items are sold as it is an institutional area with DLF as a giant multinational firm. The market is not very old and is constructed about 8 years ago. It was built as there were no other food joints found in the nearby area. This market serves food at a reasonable rate therefore employees of DLF prefer to eat from these stalls instead of cafeteria inside DLF campus. Currently, there are about 20 stalls selling food items in front of DLF, Gate-2 where many street vendors have expressed their anguish of evicting from their own lands, i.e. DLF. New town has the tragic history of land acquisition where people were evicted from their cultivable lands and houses for the development of the area. DLF is one such site. The area is well connected through bus service that goes to multiple directions into the city.

After choosing two fast growing institutional areas, a residential area was chosen in the study- *Green Field Heights*. It is the one of the first high rise residential complexes in New Town. It has eighteen floors hence locally known as *Atharotola*. As this was one of the first residential complexes, therefore there was a demand for setting up of a market to purchase daily items. A market was set up with temporary and semi-permanent stalls by vendors in and around the complex to cater to the needs of the population. Items such as vegetables, flowers, fruits, tea, coffee, snacks and everything related to daily needs are available. Here, vending is prevalent for more than a decade. The market is expanding as new street vendors enter into the market almost everyday.

In all three sites, an individual vendor earns about Rs.5000/day on an average. Hiring assistants from neighbouring villages and/or working as a family enterprise is present. It is difficult to gauge if it is a family enterprise or merely appointing an assistant on a daily wage system. Here the daily wage for an assistant is Rs.100 to a maximum of Rs.300. Eviction is a regular phenomenon and is conducted by HIDCO. A separate department is set up to conduct such raids.

Sometimes, street vendors are given prior notice whereas many a times, stalls are evicted on sudden raids. Building networks and relations is done with the representatives of HIDCO, Zilla Panchayat members and Zilla Parishad members. Although older street vendors decide on the entry and exit of a new street vendor into their areas, but, state representatives are the ultimate decision makers. Street vendors are members of both TMC and HSC on an equal level. HSC representative conducts regular meetings with street vendors and the general topic of discussion mainly centers around eviction and thereby sustenance.

The next chapter begins to analyse the journey of becoming a vendor along with multiple issues that a vendor experiences during the course of conducting business on the street. Access to space becomes a challenge for a vendor especially with the fear of sudden eviction from the civic authorities. Moreover, social security schemes, security at work and their working conditions are important indicators to understand the various issues faced by them during their lifecycle.

## *Chapter 5: Practices and Challenges*

### **Introduction**

Street vendors have been in existence since ancient times. In all civilizations, ancient and medieval, one reads accounts of travelling merchants who not only sold their wares in the town by going from house to house but they also traded in neighbouring countries. A street vendor is broadly defined as a person who offers goods for sale to the public at large without having a permanent built up structure from which to sell. They may be stationary in the sense that they occupy space on the pavements or other public/private spaces or they may be mobile in the sense that move from place to place by carrying their wares on push carts or in baskets on their heads. There is substantial increase in the number of street vendors in the major cities around the world, especially in the developing countries of Asia, Latin America and Africa (Bhowmik and Saha 2004). By their presence and activities, however, street vendors in different parts of the developing world have been in confrontation with city authorities or regulators over space for business, conditions of work, sanitation, and licensing (Anjaria 2006, Asiedu & Agyei-Mensah 2008, Milgram 2011, Popke & Ballard 2004, Skinner 2008a).

In most Indian cities the urban poor survive by working in the informal sector. There are two main causes for the growth of vending in these countries. Firstly, lack of gainful employment coupled with poverty in rural areas has pushed people out of their villages in search of a better existence in the cities. These migrants do not possess the skills or the education to enable them to find better paid, secure employment in the formal sector and they have to settle for work in the informal sector. Secondly, there is another section of the population in these countries who are forced to join the informal sector. These are workers who were once employed in the formal sector. They lost their jobs because of closures, downsizing or mergers in the industries they worked in and they or their family members had to seek low paid work in the informal sector in order to survive. Earlier, these people were engaged in better paid jobs in the textile mills in Mumbai and Ahmedabad and engineering firms in Kolkata. Many of them, or their wives, have become street vendors in order to eke out a living. A study on street vendors conducted in these cities showed that around 30% of the street vendors in Ahmedabad and Mumbai and 50% in Kolkata were once engaged in the formal sector (Bhowmik 2003). For these people work in the informal sector are the only means for their survival. This has led to a rapid growth of the

informal sector in most of the larger cities. For the urban poor, street vending/hawking is one of the means of earning a livelihood, as it requires minor financial input and the skills involved are low. Hence for this group of people, both men and women, hawking is the easiest form for earning their livelihood.

They are always targeted by municipalities and police in the urban areas as illegal traders. For most vendors, trading from the pavements is full of uncertainties. They are constantly harassed by the authorities. The local bodies conduct eviction drives to clear the pavements of these encroachers and in most cases confiscate their goods. A municipal raid is like a cat and mouse game with municipal workers chasing them away while these people try to run away and hide from these raiders. Confiscation of their goods entails heavy fines for recovery. In most cases it means that the vendor has to take loans from private sources (at exorbitant interests) to either recover whatever remain of his/her confiscated goods or to restart his business. Besides these sudden raids, street vendors normally have to regularly bribe the authorities in order to carry out their business on the streets.

### **Journey of becoming a Street Vendor**

For many street vendors, street is the place that provides them with an honourable and respectable means of making a living. At the same time street is a place where they construct and strengthen with friends and families members. Many of today's street vendors have engaged in this form of economic activity since they were children, either by helping their parents who were also street vendors or working for a friend or a family member (Crossa 2009). Interestingly, before establishing business on the street, many of them have worked either as assistants, wholesalers, coolies, and in the service sector in a low paid job, however, due to various reasons, they took up vending. For a few, it was second generation who came into street vending. On an analysis, few examples are given below. For example, Indrajit from Hatibagan said,

*'We had settled in Kolkata because we had lost our lands and agriculture was not very profitable. I started this business because I knew somehow I had to earn money for my family. I was a wholesaler before becoming a hawker.'*

A second generation young street vendor from Esplanade has pointed out,

*'My father had zero income in Bihar. He came here with family but faced extreme trouble to settle down. But then grabbed this little space and started selling flowers.'*

A middle aged street vendor, Radhe, from Hatibagan said,

*'Well, I was looking for jobs everywhere but I did not get any. I have a family to support. So, when I could not find any suitable job, dada gave me this shop and I have been running it ever since.'*

Similarly, A 55 year old artificial jewelry seller, Swapan from Hatibagan mentioned,

*'As because it is the only thing that fascinated me- I always wanted to start my own business. Earlier I worked as an assistant for a daily wage of Rs.200 at a nearby shop in Hatibagan but was dissatisfied.'*

On the other hand, given Rajarhat's rapid development, one can find a host of previous occupations that the present group of street vendors practiced before entering into this profession. For example, Arif said,

*'I used to be a farmer.'* He further noted that, *'Some are migrants. They had come here as construction labourers and then found a place here and set up a stall.'*

A young vendor from Unitech has acquired a permanent stall, constructed by HIDCO, on a monthly rental basis, said that,

*'I used to work in the shop while in school. Then after I passed intermediate, I used to work in a Bar cum Restaurant in Nicco Park. Then I worked as a security guard at an insurance office. After that my father fell sick, I started doing this full time. And now I have this shop.'*

A middle aged woman vendor, Mohini, from Unitech has mentioned that,

*'Apart from rice we didn't cultivate anything else. But we had 'Poni' (Pond) too. People here used to indulge in fish farming.'*

For example, Biplab from Gariahat said,

*'Earlier in Santoshpure, I used to work in a Bag shop and then I went to Jadavpur to work in a Dupatta store. Then I became a hawker because the income is good in this profession.'*

As mentioned earlier, there is also another section of the urban population that has taken to vending those who were once engaged in the formal sector. Soumya from Green Field Heights, Rajarhat pointed out,

*'I used to work in Kolkata Metro Rail. I lost my job because they wanted young people. Hence I became a street vendor. There was no other alternative.'*

An older street vendor, Naji who has two foods stalls in front of DLF noted,

*'Our lands were taken away by HIDCO for the development of the area. I had no other option than to become a street vendor.'*

### **Competition as a Regular Phenomenon**

Street vendors are also perceived as creating unfair competition for more established shop owners, subsequently reducing the profits of shop owners by offering pirated and counterfeit goods and commodities for sale at very low prices (Mitullah 2003). These shop owners have expressed concerns that street traders provide unhealthy competition and drain the income of more established, registered and taxpaying shop owners (Donovan 2008, Rajagopal 2001). For example, Steel (2012) has shown that established shop owners in Cusco, Peru complain about their loss of autonomy over the sale of products and the competition that vendors bring with them, with its associated declines in sales and earnings. For instance, in our study, Esplanade Hogg Market shopkeepers have mentioned that their business has gone down in last one decade because street vendors sell similar items at a much cheaper price. For this same, they have complained to the Corporation as well but no steps have been taken for the same.

Competition is another regular phenomenon in street vending. On analysis, younger street vendors are quick in understanding the new demands from the customers hence they change their businesses strategies faster than the older vendors. For example, in Gariahat, a young vendor changed his items from women's dress materials to artificial jewellery according to the changing in demand by the customers and has pointed out,

*'Earlier I sold ladies kurtas but changed it to accessories. Valo bikri chilo na r tarpor 1996 shaler por notun kichu korte hoto. I came to the market in 1995 and later I realised that most of the shops are doing well with kurta, bags and sarees. Hence I thought to change it from kurtas to earrings.'*

Similarly, in Esplanade, Naveed said,

*'I want to change this shop to CD and DVD players shop as it is currently in demand.'*

An older vendor from Gariahat, Abhijit said,

*'Competition is a part of our life. I have changed business many times due to rising competition in the market. Along with ladies purse and bags, very recently, I have started selling women's footwear.'*

A customer in Gariahat mentioned that,

*'In order to compete with other markets, street vendors have increased prices in general. Doing so, they might lose customers.'*

With much confidence, a young woman vendor, Durga from DLF mentioned that,  
*'Competition is there because all of us are selling similar items. But it is okay. I still make enough money.'*

### **Access to Space to practice Vending**

Street vendors deal with the survival challenges of access space for livelihood generation. They are different for younger street vendors who came to the city for occupational reasons and for the older street vendors who have been a part of the business for a longer period of time. For example, in Gariahat, a few vendors have a good understanding with large retail stores in Gariahat. They often receive commission and credit from these stores to sell low-end products that these established shops could not sell in their outlets. In some cases, they also act as just an extension of a large store selling the same product in lower prices. It ranges from acquiring a space to set up a stall, taking loans from local money lenders or enrollment with the union/s. Sabbir, a young street vendor from Esplanade has said,

*'Space for stall can be easily acquired with the help of personal networks with the older and powerful street vendors in the area.'*

Due to continuous engagement of the street vendors with the authorities, it has been seen that vendors have officials lobby with city authorities in securing access to public spaces for business and they also serve as crucial sources of information about the actions and inactions of city authorities regarding impending evictions and raids through the city. Because knowing when to run or leave a place of business is a crucial part of the negotiation for and use of space among street vendors, well-placed sources in positions of authority within urban areas help street vendors to effectively negotiate for and use space to enhance their livelihoods (Milgram 2011). For instance, a vendor from Esplanade has mentioned that in some cases local bruisers, more often backed by political parties collect protection fees through threats. Their links with the local authorities ensure that those who pay will not be disturbed and those who do not pay will face eviction either by the bruisers or the authorities. Another example is of a Police Official in Gariahat who has critically pointed out that street vendors bribe the local authorities to secure spaces for their stalls. It is not only *'hafta'* but also *'salami'* which is given to the local authorities by the permanent shops to secure a shop on the main road and not inside the lanes. Salami is given by older permanent shopkeeper to acquire space in a visible position in the market.

Accessing space for practicing livelihood becomes important for this category that it can be observed that street vendors are not only acquiring spaces for themselves to set up stalls but also giving those same stalls on rent to a second group of individuals. This second group enters the market to further rent the same stalls from the owner street vendors on a monthly rental basis. Therefore, an informal rental economy is functioning among all the vendors on the streets. There are several examples of such- In Rajarhat, as street vending is comparatively new as compared to the core city area, hence the system of sub-let is seen in almost every market. For example, in Unitech, HIDCO has constructed permanent stalls for vendors who sold their items on the streets, in the same area. As because it is an initiative by the authority, therefore, a monthly rent is collected by HIDCO from the stalls- there is no ownership of the stalls by the vendors. Now, knowing this, a second group of individuals came to this kind of markets to further rent the stalls from the owner street vendors, a process of sub-let. Today the system of sub-let has become so prevalent in all four areas under study that it is difficult to gauge the owner vendor and the renter. For example, in Unitech, the first group of street vendors has rented the stalls at a much higher rent, to the second group who now identify them as stall owners. Therefore, the original owner street vendor is living on the rent that s/he is receiving from the second group of new street vendors. Both local union/s and HIDCO are aware of such transactions, therefore, the original owner vendor negotiate with a payment of a minimum amount to the local authorities to continue their business on a sub-let mode. The second group of vendors remains visible to the outsiders. Secondly, in the present time, accessing space in a core city is a challenge as space is limited so it is operated on a sharing basis. For example, in Hatibagan, an older street vendor had given half a portion of his stall to another vendor on a rental basis and concluded it as expanding his business while the other vendor played the role of an assistant.

### **Protection of Rights and Social Security Measures**

Protection of rights at work wherein rights are protected specifically employment, income and social protection of the workers, which can be achieved without compromising workers' rights and social standards. This would thereby ensure poverty reduction by increasing work opportunities, rights actualisation at work, social protection and greater voice of the workers which in turn associated would result in improvement of workers' capabilities and their overall well-being (ILO 1999, Rodgers 2001, Chen et al. 2004, Takala 2005). According to National

Commission on Labour, street vendors are identified as self-employed workers in the informal sector who offer their labour for selling goods and services on the street without having any permanent built-up structure (Bhowmik 2001). However, scholars (Bhowmik 2001, Anjaria 2006) have stated many problems of street vendors regarding their social protection, working condition, credit accessibility, and their public space utilisation. Even National Policy on Urban Street Vendors (2004) has also pointed out the major problems and recommended policies on their livelihood conditions, social protection, economic activity, organisations or associations for collective bargaining. On analysis, street vendors in Kolkata and its periphery do not fall under any category of protection of rights and schemes. Most of them are unaware of the schemes, if any. For example, in Esplanade, Khudiram Bose Hawkers Association's leader conducted a meeting to spread awareness on various court cases against vendors, SV Act 2014 and schemes. It was observed that not only the vendors were unaware of such schemes but also the interest of knowing was not present as they are preoccupied with their work. Very few attended the meeting as it was evening time when they receive maximum of customers. Here Esplanade is an example, this phenomenon was marked in all the areas under study.

### **Social Security Schemes**

Social security covers medicare, sickness, maternity benefits, employment, injury, inability and survivor's benefits, old age pension etc (Jhabvala 2000, ILO 2000). Social protection policies in developing countries like India will almost certainly be concerned with reducing vulnerability and unacceptable levels of deprivation. Dreze and Sen (1991) try to distinguish two aspects of social security, where they describe the use of social means to prevent deprivation and vulnerability to deprivation. The centre of attention of the social security is to enhance and protect people's capabilities to be adequately nurtured, to avoid escapable morbidity and preventable mortality. The role of social security policies in developing countries must be extended to prevention against increases in deprivation and the promotion of better chances of individual development (Guhan 1994). The social security programme in India can be segmented into two parts- one is protective social security measures, largely for the formal sector workers covering medical care and benefits consisting sickness, maternity, old age and so on so forth. On the other segment, promotional social security consist security towards self-employment, wage

employment and provision for basic needs such as food, health and education, especially for unorganised sector workers. Thus, it should aim at the protection and promotion of both human and physical capital. According to the ILO estimation, half of the world's population has no social security coverage and only one-quarter of world's population has adequate social security coverage (Ginneken 2003). In contrast, there are only around 8 percent of total workers covered in India out of 92 percent of total workforce employed informally. Nevertheless, vending profession is full of insecurity and uncertainty since they occupy road side and accidents occur at any time (Anjaria 2006). Since they do not have access to any government assisted social security, they manage themselves. In our study, most of the vendors manage themselves during crisis period. There are very less number of individuals who seek help from the state. If a local authority is involved then it is only the local councilor, other than that, vendors are self-sufficient in tackling such challenges (will be discussed in the next chapter).

### **Security of Work**

The basic problem of vendors is that the right to existence in urban informal sector because vending profession is considered as illegal although it is estimated that around 2.5 percent of the total urban poor survive and succeed by working in this occupation in India (GOI 2004). As per as Article 19(1) (g) of the constitution stated that street vendors are recognised as workers. Vendors are typically treated as encroachers of public space. Licensing intends to reduce harassment, and evictions by local authorities and local police. As seen in the chapter in History of Street vending in Kolkata, one can come to the conclusion that the Chief Minister has promised to issue trade license to all the street vendors; however, no progress has been made of the same. Therefore, risks at work are always associated with vendors doing business on the street.

### **Safety at Work Place and Working Conditions**

The majority of urban informal workers live in poor areas, lack of basic health and welfare services and social protection and work in an unhealthy and unsafe working environment. Vendors those who sold raw material namely vegetable vendors, fruit vendors have good profit margin. But their working condition is miserable. They became a part of the street for more than

12 hours at a stretch to earn their livelihood- by surviving climate circumstances, accidents and sometimes sudden raids by the civic authorities. The daily life of many street vendors entails long hours and hard work. Aside from the difficulties of having to be on constant lookout for police and thieves, or of having to deal with the burden of harsh weather (heat, rain and cold), street vendors' daily life entails long and far from ideal working conditions. As Cross (1998: 103) noted that street vendors deal with 'exposure to the weather, fluctuating income, boredom, long working hours, and long and inconvenient trips to purchase merchandise'.

Street Vendors are not trying only to earn a livelihood but also provide valuable services to the urban population. Thus, it is the duty of the state to protect the right of this segment of population to earn their livelihood since article 39 (a) of constitution stated that 'any citizens, men and women, have equal right to an adequate means of livelihood.' But ground reality is different. They are considered as unlawful and eye sore entities. As a consequence, they face constant harassment by local Police and Municipal Authorities at work place.

### **Indebtedness**

Purpose of borrowing is not only for their economic activities but they also borrow for their social security purposes. Thus, vendors fall into debt trap due to high indebtedness. They have scarce resources, namely credit, for their trade and need to obtain credit since they have no access to credit from the formal financial institutions particularly for their economic activities (Bhowmik 2001, Jhabvala 2000). But this vending process works on a daily turnover basis and they are surviving successfully. They borrow money from different sources. Many borrow money for their social protection purposes in terms of health care, medicine, maternity, accidents, child education, setting up new business, house rents and so on. They encourage their children to continue their education. Most of the vendors borrow money for education fees, for computer purchase for their children because they prefer to send their children to English medium. Hence, they borrow money every year from money lenders, wholesalers or relatives or friends at high rate of interest.

### ***Role of Moneylenders and Wholesalers***

Money lenders and wholesalers become important players in the process. Street vendors have a distinctive relationship with them. These are important linkages especially during times of crisis. For example, recently during demonetisation, moneylenders and wholesalers became the sole survival channels for many street vendors. It is revealed from our study that the purpose of borrowing is not only for their economic activities but they borrow for their social security purposes also. They borrow money from wholesalers or relatives or friends at high rate of interest. For example, Mondal from Hatibagan had taken a huge amount from a money lender for his elder daughter's health purpose. Similarly, Sheikh from Esplanade has borrowed a lump sum from a wholesaler in Burrabazar for his second wife's cancer treatment. Another example is of Prakash from Esplanade who had sold his shop to another street vendor with the help of a local money lender to perform his daughter's wedding.

Recent economic crisis- demonetisation has affected their business majorly. During the time money lenders and wholesalers became important players in overcoming the situation. Bapi, a middle-aged wholesaler from Burrabazar said,

*'It is because of good relations with street vendors for a long time, that we survived during crisis period.'*

Another phase of demonetisation was shutting down of business for a period of time or changing the overall course of the business. For example, Soheb from Esplanade said,

*'I had to close the shop for 6 days and after than when I reopened the shop, I suffered loss.'*

Similarly Pankaj from Gariahat said,

*'During demonetisation, we suffered a lot and I didn't allow Paytm in my business. You can't imagine the situation. Initially 10-15 days were horrible for us. Wholesalers stopped sending products.'*

Another middle aged vendor from Hatibagan, Biplab, said,

*'Everyone seems to have forgotten the past. I sold one item in 5 days. I closed my shop and went home. It took 6 months to overcome the situation. My wholesaler from Burrabazar was patient with me and did not ask for payment.'*

### **Role of Assistants**

A second category has emerged in our study- assistants of street vendors. This category is devoid of benefits, regulations, schemes, meetings, protests and rallies. They work for owner street vendors on a daily wage system which ranges from Rs.100 to Rs.500 depending on the area and profit. Our study is replete with such examples from all four territories. For example, in Esplanade, almost every vendor has more than one assistant with a daily wage of Rs.50 to Rs.200. Street vendors have also expanded their business hence the needs of more hands at work increased. This is fulfilled by a floating group of individuals who work as assistants. For example, In Esplanade, a decade ago, Soheb's (a vendor) father had one assistant and now there are three boys under 18 years old who work for him. Sometimes, assistants also become street vendors in the process. Assistants not only work in the shop during the day time, selling items, but also work as night guards, sometimes. This is an informal system where an individual is appointed using friend's networks. As mentioned by an older vendor in Gariahat,

*'Assistants mean helpers and night guards. They work according to our convenience.'*

Daily wages of assistants is decided upon the area of doing business. For example, In Gariahat, Pankaj said,

*'I have one assistant and I pay Rs.250 per day.'*

Similarly, a bags and shoes seller, Avijit said-

*'Right now I have 8 fixed assistants. And few are still not permanent, number lage ni ekhono oder. Ektu kaj kore proman koruk. Per day wage is 250-300 or sometimes 500... depends on the profit. Sometimes I pay them a little extra during Durga Puja.'*

Few street vendors bring helpers for a fixed period of time, known as assistants in the market. For example, Biplab from Hatibagan said,

*'I brought a boy from Kontai, to set up the stall. He came here for 6 days.'*

Few street vendors are aware that assistants have no benefits; hence they increase the wage annually. One such example is Sanatan from Gariahat-

*'Earlier I paid 400, and then I have increased it to 500.'*

## **Conclusion**

This chapter has shown that how all this has made a street vendor succumb to certain rules that play on the streets with different authorities (formal and informal) to sustain the space for livelihood generations. Acquiring a physical space is not enough, rather sustenance is the key factor and to do that, a vendor goes through various types of negotiations. The next chapter deals with various types of negotiations. They can be of two types (macro level and micro level) depending on the networks, contacts and type of business and time period of the business.

## *Chapter 6: Everyday Negotiation and Right to the Street*

### **Introduction**

This section of the report interrogates different types of negotiation in making claims to use physical space by the vendors for practicing livelihood on a daily basis. This section discusses some of the strategies that street vendors, as individuals and as organised groups, have used in securing access to important locations for vending in urban areas of developing countries. Using examples from different places, the section demonstrates how the use of these strategies gives some form of power to street vendors in their relationship with city authorities. This also refers to the expressions and consequences of neoliberal urban-scale policies that entail a wide range of strategies pursued by coalitions of business elites and local governments to attract inward investment (Harvey 1989b, Hubbard and Hall 1998, Jessop 2000, MacLeod 2002). As mentioned earlier, street vendors are treated as encroachers to the public space and are mostly excluded from the state policies. With a view to understand the issues and challenges that they experience in their everyday life, this section focuses on different types of negotiations that are done to survive on the street- to continue and the survival strategies that enable them to maintain their socio-economic niche in the city despite structures of constraint that seek to remove them.

These two groups (street vendors and regulators) have interests that often contradict or compete (Austin 1994). As a result of the competing interests between street vendors and regulators, street vending has come to depend largely on a constant negotiation among vendors, buyers, and regulators (Asiedu & Agyei-Mensah 2008, Recio & Gomez 2013). Negotiations may be for public space, for economic opportunity, and for power, and may involve the general public, shop owners, and urban regulators (Asiedu & Agyei-Mensah 2008).

Among street vendors, regulators, pedestrians, and the general public, negotiations may occur regarding what can be considered an acceptable and unacceptable use of space, as well as what can be considered rights of the vendor to operate and earn a living from public spaces against the rights of the state to maintain public spaces (Drummond 2000). For example, with the development of New Town, an urban informal economy is seen to be emerging. Here, street vending is a relatively a new phenomenon due to the history of land acquisition where vending began as an alternative profession. Here, vendors are more vulnerable due to strict municipal laws, hence, negotiations are different. These negotiations for public space and their outcomes

have important implications for the well-being of street vendors, because having a visible space for vending is one of a variety of significant factors that affect the well-being of street vendors (Cohen, Bhatt and Horn 2000).

These negotiating strategies can be classified under two main categories: negotiations that take place at the macro level (between organised groups of vendors and state authorities such as mobilisation, protest marches, dialogues at different levels-unions, government and street vendors), and negotiations that take place at the micro level (between individual street vendors).

It is our contention that the strategies of mobilisation and everyday negotiation are contextual in nature– it varies with time, place and the political economy of each territory within the city.

### **Macro Level Negotiations**

The strategy of negotiating for space has also been reported among street vendors in Bogota city in Colombia, where vendors have often responded to threats of eviction with a legal action arguing that eviction will go contrary to their right to work and earn a living (Donovan 2008). What happens then is that vendors begin to make use of the same institutions that legitimizes the power of regulators, they have learnt to use the same tools that the state uses against them to fight back and to gain power (Rajagopal 2001). A macro strategy that street vendors have used to negotiate for space in urban areas is through public demonstrations. These demonstrations may take the form of public rallies, where vendors sometimes march on city authorities and hand over demands and grievances, an approach which has been used effectively by vendors in Kolkata. One can witness large scale mobilisation of vendors as soon as the threat of eviction becomes imminent. The threatened groups begin to mobilise their shared moral and material causes that they have already developed in the course of sharing the same space to form a consolidation (Bayat 1997). This led to a large scale movement by the street vendors in the city. Here, street vendors gain power through numbers and use some of the same strategies that city authorities have used against them in resisting eviction and maintaining the use of city spaces. In addition, vendors as a group have used their votes as a bargaining power in negotiating with the authorities. This is especially significant where the vendor population is large, as it is in Kolkata. The history of the street vendor's movement in Kolkata showed that they had been able to consolidate themselves to foil the governmental attempt at clearing the pavement. For example,

the threat of eviction in 1996 brought many street vendors in the city together under an umbrella union called the Hawker Sangram Committee (HSC). As soon as the movement achieved success in resettling the street vendors, it began to change its fundamental character that had been based on exclusivity. HSC began to project itself as a platform of a wide cross-section of urban poor—the prostitutes, the squatters and so on. Interestingly, it refused to register its name either under the Trade Union Act or the Societies Registration Act. Rather, it sought to be identified with a wider anti-globalisation peoples' movement that developed from the Narmada Bachao Andolan. Moreover, HSC has been able to keep its original support base intact among the street vendors for over more than two decades and governmental and transnational organisations accept it as a legitimate platform of the street vendors.

Alternatively, street vendors in Dakar, Senegal, have used open forums, where vendor associations meet with government officials to discuss their concerns (Bass 2000). For instance, in 2005, an Apex Committee was formed in Kolkata with Mayor, Police officials and representatives of different street vendors unions to discuss various issues and concerns of vendors with a focus on the Act (refer to History chapter). In the late nineties, street vendors' struggles took place at the local and national levels by strategically using the courts and working with the local, state and national level government for incremental as well as absolute rights to the space of the street to continue with their livelihoods (Chatterji and Roy 2016).

International organisations and Non-Governmental Organisations (NGOs) also play an important role in macro negotiation activities of informal sector workers in general and street vendors specifically. Organisations such as the Street Net International, International Domestic Workers Network, International Transport Worker's Federation, WIEGO, Latin American Waste Picker Network (Red Lacre), Global Alliance of Waste Pickers, and Home Net South Asia assist informal sector workers by building a global network and involving in transnational advocacy to promote the rights and well-being of informal sector workers including street vendors (Bonner 2009, Bonner & Carré 2013, Horn 2014).

### ***Role of Union/s***

Besides these sudden raids, street vendors normally have to regularly bribe the authorities in order to carry out their business on the streets. Systems and networks of such exchanges were vigilantly regulated by police and other local parties in their respective areas. In order to

overcome these difficulties street vendors organise themselves into unions that enable them to continue their activities. These organisations are mainly localized bodies representing street vendors in specific areas of the city and try to mobilise through different political parties. Studies by Bhowmik (2003) has shown that the level of unionisation is low mainly because street vendors feel that they can survive through paying rents rather than forming unions that will fight for their rights. Different studies conducted on street vendors in Mumbai, Delhi and Ahmedabad show that less than 20% of them are members of unions. Most of these members are males as the female street vendors constitute a small section of the profession (Bhowmik 2003). In one of the Apex Committee meetings (2009), a TUCC representative showed concern regarding eviction and entry of new vendors in few pavements in the city of Kolkata. He has pointed out that Police collects regular bribe from street vendors in different parts of the city of Kolkata, further he noted that if police does not support the Apex committee decisions then it is a challenge to implement the same.

Furthermore, while some organisations are part of national and international commercial networks, other organisations depend on localised networks of exchange (Gonzalez 2002). In addition to the existing heterogeneity among the organisations, street vending as an activity also varies significantly relative to size and type of stall, product sold, daily profits earned, distribution process, number of people working in the stall, relation to leader, and location within the city area. Moreover, recently the state of West Bengal has declared that street vendors will not be evicted unless a proper rehabilitation is given to them. This statement has made street vendors believe in the state more and power within local unions has reduced to some extent, although it is contested because of the recent evictions in one the primary junctions of the city by the state. However, the question of paying rent, informally, is still prevalent in all the four areas even if the state has declared such policy. Our analysis has not only focused on the large scale movement and negotiations with the state, rather the everyday, micro level negotiations that are done by the vendors to sustain a space for their livelihood generation.

It is important to note though that even though the macro strategies discussed above have been demonstrated to be generally effective for all street vendors and to represent their power, there remain considerable within-group differences in terms of its benefits for different categories

(age, gender, and class) of vendors. Thus, individual vendors may benefit differently from these strategies depending on their gender, age, and social class.

### **Micro Level Negotiations**

While these are larger strategies used to secure rights, on an everyday basis, street vendors on different patches of streets have to resort to a host of urban tactics, including that of building local alliances though these unstable relations are shot through with power imbalances and prejudices. Bass (2000) in a research of the negotiating strategies of street vendors in Senegal draws attention to how socio-demographic characteristics define the benefits that particular groups of vendors gain. We have observed that negotiations are different in the core areas and in the peripheries. For example, it also suggests how, over the years, street vendors were able to develop certain relationships with the communities at large, so much so that, during Operation Sunshine residents from various quarters helped the street vendors to store their wares in private residences.

### ***Networks***

Networking and communication among colleague vendors is one of the negotiating strategies that street vendors have used. In this context, therefore it leads to the question as what factors have contributed to losing and/or retaining spaces in the city of Kolkata? A street vendor's occupational structure is seen to govern more by primeval ties of caste, religion, region, ethnic, language, village kinship and friendship. These network relations help one to get a space to start his/her business in an urban setting. In fact, resource network is also an important factor in motivating people to move out of their places of origin. This is evident in all the four areas where street vendors help each other in setting up the business. For example, Bhowmik from Hatibagan has set up his stall with the help of his brother. He has no knowledge of the market, initially. Generally people move from village or small towns to the city with the help of their social networks<sup>2</sup> which helps them to find jobs. At this time they have ethnic solidarity and strong neighbourhood ties. The same situation has been seen in our study among the first generations. It

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<sup>2</sup> Generally, social networks can be defined as a set of actors or agents and the configuration of relational ties connecting them (Wasserman and Faust 1994).

has been seen that social network plays an important role for an individual to set up a business. The particularities of religious, linguistic, residential, occupational, education and marriage networks have strongly influenced the maintenance of social networks and the formation of new configurations of networks. It is important to understand the types of networks that help one to start a business. This is easier for the individuals who have more money to negotiate with various stakeholders of the street, is relatively simpler to set up a stall in a visible location.

Moreover, if migration is considered as an important phenomenon, on analysis, one common idea came out is that many street vendors have migrated with the help of social networks. Initially they had no knowledge of the city. It is their networks like brothers, distant cousins, maternal uncles and friends from the same village/district/town who have given them the idea of street vending as a profession by occupying a space on the streets. In many cases it has also been seen that when individuals migrated with their families they did not come directly to any of the selected territories in the study rather stayed with their relatives and friends who are the social networks to understand the various entry points to set up their business. For example, Sabbir from Esplanade migrated with his family who used to work in a shop as an assistant in Topsia. Soon he looked for an opportunity to start his business in Esplanade with the help of his friend and an old and powerful street vendor from Bihar, Sikander. Similarly, Sanat from Gariahat is handling his uncle's shop using similar kin networks. There are other means through which street vendors manage to conduct their trade. Street vendors in an area form their informal associations that negotiate with the local authorities. For example, if authorities have maintained that essentially constructing stalls at the intersections of the streets is not permitted; however, it is negotiated locally and is beyond regulation due to its strong networks at the micro level.

### ***Precariousness/Insecurities***

The basic problem of street vendors is that the right to existence in urban informal sector because this vending profession is considered as illegal although it is estimated that around 2.5 percent of the total urban poor survive and succeed by working in this occupation in India (GOI 2004). As per as Article 19(1) (g) of the constitution stated that street vendors are recognised as workers. The Supreme Court in the Sodhan Singh versus NDMC (1989) case ruled that: *“If properly regulated according to the exigency of the circumstances, the small traders on the sidewalks can considerably add to the comfort and convenience of the general public, by making available*

ordinary articles of everyday use for a comparatively lesser price. An ordinary person, not very affluent, while hurrying towards his home after a day's work can pick up these articles without going out of his way to find a regular market. The right to carry on trade or business mentioned in Article 19(1)g of the Constitution, on street pavements, if properly regulated cannot be denied on the ground that the streets are meant exclusively for passing or re-passing and no other use". However, they are typically treated as encroachers of public space. Licensing intends to reduce harassment, and evictions by local authorities and local police. Hence, their job is uncertain and insecure. Swapan from Hatibagan said,

*'Mamata Banerji promised us that we would get registered and get a license for the business. The municipality collected information about us almost a year ago but nothing has happened so far. I have full faith and getting a license will give us a legal claim and we will have some kind of security which we lack right now.'*

Street vendors are also insecure about their items where there are storages are not available. On asking about storage facility, Monosha, a fruit seller, from Gariahat said,

*'I keep my materials here. No other option. Men drink at night near my stall and sometimes steal fruits. Therefore, I bring materials in lesser quantities. Carrying the weighing machine from home is an issue but we are managing.'*

An older vendor from Gariahat, Saha said,

*'We have employed some people – a team who they take care of our shops at night and they are quite loyal.'*

Similarly, Pankaj from Gariahat has mentioned that

*'(smiling) re se toh sob jayagay ache. Amara taka kamabo, opor tolake ektu diye sontushto toh rakhte hoy. Setai di. Nahole oi 1996 er moto din theke berote partam na '*

### ***Eviction and Negotiation***

Principal precariousness in this occupation is the sudden fear of eviction. Street vendors are targeted by municipalities and police in the urban areas as illegal traders. In line with the perceptions of a modern and global city, eviction and relocation campaigns are undertaken by city authorities to clean up the city and make it more attractive (Anjaria 2006, Donovan 2008, Milgram 2011). Where vendors are perceived as a nuisance, a symbol of chaos and disorder, eviction is often intense, involving the use of bulldozers, and justified as necessary to restore order and sanity back to city life (Rajagopal 2001). Examples of such evictions and relocations

have been undertaken in India, Vietnam, Mexico, the Philippines, South Africa, and in other developing countries in Africa (Anjaria 2006, Donovan 2008, Drummond 2000). In what follows, empirical data has shown that the issue of agency, power and network are present and are responsible in making such claims. Some of the examples has shown- Soumya from Rajarhat pointed out,

*'We might be evicted again.'*

Although he did not give a reason for the statement rather it is the everyday insecurity with which they continue doing their business. For most street vendors, trading from the pavements is full of uncertainties. They are constantly harassed by the authorities. The local bodies conduct eviction drives to clear the pavements of these encroachers and in most cases confiscate their goods. These evictions and relocations can be conceived as a demonstration of the power of cities and urban areas over residents and street vendors (Skinner 2008a). This is because, within a social negotiated setting, those who are in need of something are usually constrained by the actions of those who can satisfy their needs (Fine 1984). Similarly, street vendors, working with limited or no infrastructural facilities and limited access to competitive space for business are often constrained by the conditions laid down by city authorities and regulators who control vital public space. Thus, city regulators have often used the prevailing negative perception about street vendors as a negotiating tool to gain more power, which enhances their claim over crucial public space. A municipal raid is like a cat and mouse game with municipal workers chasing them away while these people try to run away and hide from these raiders. Eviction of street vendors from busy city centers have power implications because the vacation of the streets by street vendors makes these profitable streets and city centers available to large scale and powerful formal businesses at the expense of small scale vendors. The eviction of vendors by force, the destruction of perceived illegal vending stands, and the confiscation and sometimes destruction of goods demonstrate the extent, nature, and effects of the power held by city regulators (Rajagopal 2001). In most cases it means that the vendor has to take loans from private sources (at exorbitant interests) to either recover whatever remains of his confiscated goods or to restart his business. Eviction examples are mainly the experience of Operation Sunshine in the core city area.

Similarly, Raju from Gariahat said,

*'The real picture appeared in 1996 when each and every hawker faced brutal harassments.'*

In Hatibagan, Narayan's shop was relocated from one place to another during Operation Sunshine.

*'At first, my shop was located on the opposite of Uttara Market. I had to shift because they evicted us during Operation Sunshine. The government gave us place to do business and then the government only evicted us.'*

Manab from Hatibagan said,

*'To the place where we were being relocated- we had to pay Rs.2000 to the police to reserve spots.'*

Radhe from Hatibagan recalled the day of sudden eviction-

*'We sat here and nobody had ever caused any problem earlier. But, suddenly there came the news that the footpath has to get cleared. Now, people here are so accustomed to see the market hence they did not take it very seriously and we continued to function. However, one day police came and started chasing us off the streets, broke down stalls and confiscated goods. People ran with whatever little that they could save.'*

Swapan from Hatibagan said,

*'It was a daily occurrence back then. It could happen any time. We were given prior notice but we did not pay heed. Why will we? Hatibagan market has always been there and we could not imagine this place without us. We thought it will not happen and is just a hoax. But next thing you know is, the local party cadres of CPI(M) are on us driving us away and taking all our things. We protested. Rastae neme andolon korechi (We took to the streets in protest).'*

Carrieri and Murta (2011: 221) have studied street vendors in Brazil and observed that, as a result of frequent inspections, vendors carried with them 'a minimal number of supplies to allow for a fast escape as soon as inspectors were spotted to diminish possible losses'. This strategy has also been reported among street vendors in Ghana, Mexico, and Peru (Anyimah-Ackah 2007, Asiedu & Agyei-Mensah 2008, Crossa 2009, Milgram, 2011, Solomon-Ayeh et al. 2011, Steel 2012). Similarly, in our study, Uma from Hatibagan mentioned,

*'Well at that time we had sit and run policy. Police would come for raids and we would run with our minimum things.'*

Also, at this time, HSC (refer to the section on history) has called upon its allies in the popular sector to gain leverage so that vendors can stay where they are, or even obtain new spaces in the

respective markets. They have practiced what Allen (2003: 5) has called associational power, where ‘power acts more like a collective medium enabling things to get done or facilitating some common aim’.

Interestingly, in Rajarhat, eviction took place in two phases- one phase took place during 1990s where natives were forced to vacate their land for development of the area and second phase is the current situation where a constant eviction drive by HIDCO on the construction of illegal, temporary and semi- permanent structures. For example, Soumya from Green Field Heights said,

*‘See HIDCO acted very smart. They first made an alliance with the government and then the thugs of this area. This area has a very big network of criminals. And before, when ‘mati fela’ started happening, they were used by HIDCO to take away land from us.’*

Further Arif from DLF expressed-

*‘You have no idea the threat we were living with at that time. There were so many people who had to give away their land because thugs showed up to their doors at night and held a gun on their chest. You will find no records of these things anywhere as they were carried out in secret at night and not at a mass scale because it would draw attention otherwise.’*

Further Soumya from Green Field Heights added,

*‘Land was taken away by HIDCO. We had 30-35 bighas of land in this village. We were cultivators and then they took it away from us by force. They asked us to collect compensation. Apparently the cheques were all ready on our names at Barasat Court. How did they take away our land we do not know. They took away our residential areas too. We had a baganbari (Out House) which was taken away. My father did not collect the money because collecting the money would mean that we have agreed to let go of the land.’*

This kind of eviction was done to create a new city with its global images and high tech infrastructure development. In doing so, many have lost their lands, ponds, and residences, and have become street vendors. This group of individuals fought for their land as it was their only means of livelihood. Many of them did not take up hawking as a best alternative occupation; so they left Rajarhat and settled into new homes, in other parts of West Bengal and lost connections with their native place, Rajarhat. For example, Naji, an older vendor in DLF said,

*‘HIDCO photographed our area. We have confronted HIDCO so many times. They were digging our land with an axe. I snatched the axe from them when they came to evict us. I told them that the land is the means of subsistence and livelihood for not just me but many people.’*

An example of the second phase of eviction which is happening currently- Mohini from Unitech said,

*'Last year my stall was removed from the initial place. It was broken by HIDCO. Permanent stalls came much later. Eviction is a regular work of HIDCO.'*

However, many have felt positive about the development of the area. For example, a young vendor, Satya from Unitech said,

*'This development is not only good but very good. In my opinion, we are much better off now than we were in the past. I am lauding the current development. I got a permanent stall after HIDCO evicted us from our land.'*

He further pointed out that,

*'I agree that at that time they snatched away many things from us. But now everything is fine. At that time people protested and we did not imagine that this place would look so grand someday. Now I am very happy with this place.'*

Alternatively, in Kolkata, vendors have survival strategies from eviction drives. During eviction raids, they run from one place may warn other vendors at other places of the impending threats. Many a time, the first call for sudden raids reaches the older powerful vendors. Similar strategies have been reported among street vendors in Brazil as well (Carrieri & Murta 2011) that street vendors make use of the network of relations among each other as a form of security for each other.

### **Street Bosses, Intermediaries and 'Dadas'**

It was observed that most vendors have no knowledge of the SV Act or about their social security schemes, if any. For example, in Esplanade, Khudiram Bose Street Vendor's Union leader pointed out in a monthly meeting with the street vendors that they should have proper knowledge of the law and especially about TVC and should not depend on the leader's understanding only. As because local leaders, union leaders, and dadas become important players in negotiating such claims hence a vendor mainly depends on this category not only for awareness of schemes and act but also a form of protection to sustain the space. For example, in Rajarhat, a street vendor mentioned that with a payment of monthly rent to the local union, he feels safe to continue doing his business. He was more than confident that union leaders will protect them during eviction,

*'The union has good rapport with HIDCO. If I say anything to HIDCO then there is a chance that my voice will be suppressed. But Dada's voice will be heard.'*

Here, 'dada' is an older vendor who has more power and control over the market. This also means offering rents to the authorities for warding off eviction drives or forewarning them of impending drives. These associations collect money from their members and pay it as rent to the concerned authorities. A study in Mexico city's Historic Centre's street vendors has shown that a daily fee must be paid to the leader of the organisation. The fee varies depending on the size of the vendor's stall- the larger the stall, the higher the daily fee (Crossa 2009). There are others forms of extracting rents also, for example, in some cases local bruisers, more often backed by political parties collect protection fees through threats. Their links with the local authorities ensure that those who pay will not be disturbed and those who do not pay will face eviction either by the bruisers or the authorities. Here, older street vendors become the reference point to new street vendors as they become the element of protection from eviction drives, control and regulation of paying rent to the local union or to the older street vendor/s in that area. These older street vendors have strong rapport with local leaders, police station, traffic police and shopkeepers as they have been a part of the street for a long period of time. For example, Esplanade Hogg Market Association has pointed out that street vendors bribe local unions to sustain space in a particular location where there is more visibility. For doing so, a daily rent ranging from Rs.50 to Rs.250 is given to the local unions (also mentioned by other street vendors). On the contrary, a Member of Zilla Parishad, New Town mentioned that rent extraction is not an everyday practice in Rajarhat. Dominance of local union is low where street vendors have set up stalls for livelihood purpose as they were mostly landless labourers in the same area. Here, municipal laws are different and strict as the area is new. Housing Infrastructure Development Corporation (HIDCO) is in the process of constructing permanent stalls for the street vendors as a part of beautification of the area. One such permanent market has been built where street vendors were given stalls on a rental basis. However, street vendors had to negotiate with HIDCO and its representatives in order to acquire the stalls as it was given after conducting a photographic survey and on first come first serve basis. For example, a middle aged woman vendor, Mohini from Unitech said,

*'My stall was removed from the initial place. It was broken down by HIDCO. Permanent stalls came much later. Eviction is a regular work of HIDCO which can be negotiated with HIDCO representatives.'*

Therefore, street vendors, despite the above information, are not powerless in the face of eviction and relocation. As respondents actively reinterpreting and renegotiating their realities, street vendors have a variety of strategies available to them, a sign of their own power, in the face of eviction and relocation.

### ***Regulation and Negotiation***

Jonathan Anjaria (2006) has argued that with a formal system and proper regulation, chances of solving problems are more from their everyday extortion. There are different ways of understanding regulation with respect to flexibility of time, number of times a space is used for vending by one or more individuals and permanent/semi-permanent stall structures. On the other hand, informal regulations i.e. amenities that needs to be understood in terms of its static character or improved or if it has been consolidated over the years. Amenities are drinking water, toilet, other food stalls, electricity and storage.

Yatmo (2009) explains that at night-time, civilians perceived street vendors as more organised with cleaner environments, in contrast with their perceptions of vendors during the day. This fluidity in the perception of vendors describes the attitude of some city authorities toward the phenomenon of street vending. There is evidence to suggest that in some countries, urban authorities' perceptions of vendors and their attitude to street vending in general change during different economic periods (Donovan 2008). For instance, in Bangkok and Thailand, the financial and economic recession of 1997 compelled people into the street food trade as a source of income and employment (Chung, Ritoper & Takemoto 2010). The central and municipal governments of Thailand and Bangkok, respectively, went to the extent of encouraging citizens to take up street food vending as an alternate source of income during this financial crisis (Chung et al. 2010). Harper (1996, cited in Donovan 2008) also reported that during economic difficulties in the 1990s, the Mayor of Kuala Lumpur reduced regulations on vendor licenses and set aside more areas for street vending to take place. This fluidity in perceptions emphasises the fact that vending is only problematic during specific periods and in particular locations. To begin, the question of *flexibility of time* is important in our study. On analysis it has been noticed that in a particular stall, a particular item is sold during the day and a different item is sold in the evening by a different vendor. It is complex in nature. A vendor who is selling items during the day may be the owner of the stall who gives out his/her stall on rent in the evening to another

vendor. Secondly, *number of times a particular stall space is used* and number of individuals using it for livelihood generation. Mostly, this is done by stall sharing, exchanging, buying and selling. Therefore, a particular space is being used by more than one vendor. This also happens during festivals where seasonal street vendors rent a particular space that is used by a permanent vendor in that area. For example, during Ramzaan, in Esplanade, many street vendors give away their stalls to seasonal vendors on rent for a month. Thirdly, it is important to understand *the structure* i.e. either it is temporary/semi-permanent/permanent structure with respect to legal dimension and pedestrian use. Currently, with the idea of self-regulation, most stalls are constructed in a semi-permanent manner. This is done so that it is easily removable especially during festivals. For example, Former Councilor of 86 Ward, Gariahat, said,

*‘Entire pavement from Deshopriya Park towards Kasba and from Ballygunge station to Golpark is cleared off street vendors so that civilians can walk and enjoy Durga Puja without hassles.’*

Fourth, is the *size of the stall*. The Apex Committee decisions concluded allotting 1/3<sup>rd</sup> space to the street vendors and 2/3<sup>rd</sup> to the pedestrians. However, it is not maintained in its full potential and one of the reasons could be the measurement of pavements in different territories. It is seen that only 24% of the street vendors follow the regulations laid down by the government. The government does not enforce strict punishments for not following the regulations. They have stated that paying an assured sum of money to the police ensures breaking of the laws (Basu and Basu 2016). For example, a small number of street vendors in Gariahat are seen to maintain it. Since pavements in Hatibagan are relatively narrow hence pedestrians complain regularly who walk with hindrances from street vendors with stalls on both sides of the pavement. A citizen from Hatibagan has pointed out-

*‘Walking on the pavements is the biggest problem. Pavements are narrow and street vendors are sitting on both sides. People shop and people walk- this two categories always fight with each other for space. In turn, many prefer to walk on the streets (which is not safe).’*

Coming to the informal regulations as mentioned above- *Drinking water* is a problem in many markets as the taps are located at a distance from the main markets. On 26<sup>th</sup> August 2009, in the Apex Committee meeting with the Former Mayor of Kolkata, HSC General Secretary, Saktiman Ghosh has critically pointed out that the drinking water channels in the vendors markets are not

tested and is polluted. Further he also requested the Mayor to construct pay and use toilets near such markets. An example of this is, an older vendor from Gariahat said,

*'I drink water from the permanent shop behind me. I cannot walk so much get water especially during summer season.'*

Similarly Sanatan from Gariahat said,

*'I come around 10/11, I eat snack and then I eat my lunch in a local hotel. Drinking water is a problem but we get it. It is not very far from my shop.'*

Monosha from Gariahat mentioned,

*'Near Ekdaliya, cold water is available for Rs.2 per bottle. I fill it from there. It is walking distance from Gariahat.'*

Rajarhat experiences difficulties mostly in terms of electricity and water. An older vendor from Green Field Heights has pointed out that,

*'Major problems in this area are water and electricity. The generator only runs for 3 hours and it can only be used for the shops. We have to sit in this heat without a fan. Water is another problem- it came with development. There used to be large water bodies in this area but they closed them all with soil. We have lost our water supply.'*

However, public toilets are easily accessible for street vendors as well as pedestrians in many areas. A third category of small scale food stalls have come up alongside other stalls in every market, who provide regular lunch, snacks and tea to the street vendors. Here street vendors become their regular customers. Naveed from Esplanade has pointed out,

*'I eat mostly from the by-lanes of new market or else from Chandni Chowk. Toilet is nearby and so are the drinking water coolers.'*

Second, *storage* is an issue for many. It is a predominant character in the 3 markets under study (excluding Rajarhat) that residential buildings and houses in the markets extends a portion of their property as storage on receipt of a regular rent. On the other hand, in the absence of storage spaces, street vendors have employed a security guard to look after their stalls at night. For example, Pankaj from Gariahat said,

*'Big shops help to store my products. I pay 20 per day. It's not fully secured but we have to keep our products somewhere.'*

According to Manab from Hatibagan,

*'I put everything together and put it inside a person's house in the opposite footpath. He is a very nice guy and lets me keep my stuff there for free.'*

Radhe from Hatibagan said,

*'We have paid coolies to take stuff and store it in the by-lanes.'*

Uma from Hatibagan pointed out,

*'Now I can just put everything inside the cart and lock it at night and it is much safer.'*

### **Gender and Negotiations**

Female informal employment remarkably concentrates on the wholesale trade and retail trade sector. In 2008, nearly half of all people employed in this sector (17.2 million) in Indonesia were women (8.5 million). However, only 22.5% of these women were employees in formal labour. Apart from a small group of female employers, all others were either own-account workers or unpaid family members in family owned businesses (van Klaveren et al. 2010: 67). A sixty percent of women working in the informal non-agricultural sector, work in household retail and as grocery traders (World Bank 2010: 54). In Java, women are traditionally associated with trading, and markets are said to be women's domain; Javanese women are the principle vendors of meat, fish, and eggs as well as vegetables in the markets (Murray 1991: 41).

In the present study it has been seen that women preferred to do vending because of weighed wages, benefits, working hours, location and working environment and also the conditions to reconcile work and family life. The women in the areas have low educational level and very few have attained till the tenth class. Respondents have expressed their feelings of higher education for the next generation. Given the uncertainty of jobs and standard of living in a city, the woman's job is necessary for survival in the family. Thus, now it is possible to earn a living also without passing 10<sup>th</sup> class.

Moreover, women street vendors play an important part in the formation of TVC. However, equal participation of women is missing from TVC at a regional level. From a workshop (conducted as a part of this project) titled- *'Implementation of Street Vendors Act 2014: Challenges, Opportunities and Way Forward'*, current role and issues around the participation of women vendors in TVC as well as the larger movement was dealt with. Women vendors from

different parts of the country have been mobilized and are maintaining a visible position in markets. During protests, they fought alongside male vendors in the market. For example, in Jharkhand, women vendors took central role during evictions in one of the markets. However, harassment by civic authorities and others and suppression by other male vendors are a part of their daily life. It was observed from the discussions that women vendors have little or no knowledge of the Act. In this regard, participants have mentioned that women vendors must be educated about their roles within the family as well as in the market and attention must be drawn to oppression by family, employers, and trade unionists. Sexual harassment must be dealt with immediately and stringently. A holistic development can only follow from equal representation of women.

Interviews with 5 women vendors from 4 areas under study showed that there is a limitation to interact with women vendors on the streets. Less number of women vendors were seen on the streets selling items without the company of their male counterparts. From our study, it was observed that because female street vendors had less social authority to assert themselves, they were less able to negotiate for their interests, and often made their interests secondary to that of their male counterparts in negotiating with city officials. The concerns specific to female vendors who often sell different products from the males and thus often have some challenges specific to their situation are often left unaddressed during macro level negotiations with state officials.

### **Conclusion**

The concepts of negotiation, power, social network, and perception are used to analyze the various strategies street vendors have used in gaining access to urban public spaces in different parts of the developing world. It is revealed that even though civic authorities have access to formal power, street vendors possess a variety of negotiating strategies that gives them access to both formal and informal power. Furthermore, power emerges and exists in interaction, through informal negotiations and strategies, through network of relations, and through individual agency and innovative strategies. Power is demonstrated here not only as a tool of oppression and destruction but, with regard to vendors, as a tool for resistance and resilience. This section has portrayed that street vendors have been demonstrated as an organized political force who through various strategies and approaches have resisted or avoided the power of city authorities and continue to use public spaces. These strategies have been demonstrated as reflecting the political

power of street vendors in the city of Kolkata. Lastly, the section has documented that to what extent do factors such as geographical location, time of vending, time of year, competition, gender, and age affect and modify the negotiating strategies of vendors.

## *Chapter 7: Conclusion*

This study has looked at changing spatial practices and different types of negotiations that occurs between street vendors and different actors at the street level as well as in the governance, in Kolkata. Increasing number of individuals in the profession shows that people are attracted by the bright lights of cities but may rather be looking for economic sustenance. Despite tightened regulations on the uses of public space, excluded groups find ways to express their concerns, maintain a livelihood, or render themselves visible, despite structures of constraints. Given the planning and formation of several policies by the state, a Utopian vision of Kolkata would be neat and tidy, empty, seemingly ordered, and free of street-vending activities. It would be an area akin to the streets of Barcelona or New York. The fact that street vendors remain on the streets of the city indicates that the ability to render them invisible is fundamentally defied. Current situation showed that the very people whom were meant to be socio-spatially excluded-the street vendors, have exercised their power to reoccupy space, to re-stake their right to the city. They have managed this by tapping into the state, with the local unions, HSC and micro level networks by practicing associational power.

In the first chapter, we have introduced the project and methodology that is used to develop the project. In the second chapter a thorough review of literature on the right to the city recognizes socio-spatial exclusion, sometimes produced by policies like the Street Vendors Act 2014, but pays insufficient attention to how new structures of power are negotiated in the daily lives of all actors. In the third chapter a thick descriptions of the four areas under the study has been done to build the context to the report. The fourth chapter dealt with the social background of the street vendors. The fifth chapter has looked at the multiple ways that a vendor tries to get access to the space for earning a livelihood. Street vendors have engaged in multiple practices of power that counter claims that power is always and only exercised by the state and private investors over other social groups in the city. A sub section on inclusion and exclusion has been added to show that excluded groups develop oppositional consciousness in struggling and negotiating change in their daily life and, in so doing, construct a range of contestation strategies. The sixth chapter is a continuation of the previous one and it has delved deeper into the systems of networks that transform through time and, in that transformation, urban excluded groups recast and reclaim

their right to the city. The effects of entrepreneurial strategies, such as commodification and privatization of urban public space, are challenged by the spatial practices of differentially affected groups. Their identities and interactions undermine the entrepreneurial agenda, creating ‘counterspaces’ (Lefebvre 1991) or representational spaces of resistance.

The cases explored here shed light on the wide variety of geographies of power in the city by illustrating how the excluded exercise power through strategies of manipulation, association and mobility. Although state institutions in combination with the private sector seek to regulate and control certain spaces of the city, their efforts are contested. Furthermore, those that the state seeks to exclude are themselves a highly differentiated group who also interact through differential power relations. Vendors, meanwhile, has established new relations with other vending organizations, shop owners in their respective markets. Negotiation and mediation through union at the macro scale does not guarantee that everyday evictions of street vendors will not take place, and in fact, the aversion to unionization has led to fragmentation of the mobilization of street vendors – also they are divided by territory, language, ethnicity, locality, how much profit they make and the kind of networks they have.

#### **Highlighted issues and challenges:**

1. While older, established markets in Gariahat, Esplanade, Hatibagan seem to be more stable; newly developing areas in the periphery of Kolkata – particularly Salt Lake and New Town, are more prone to new rounds of evictions from local and state authorities.
2. Pavement widths vary across the four areas and the neighbourhood and land use character also varies greatly. The arrangement of shops therefore varies accordingly.
3. While in Gariahat shopkeepers and street vendors seemed to have an amicable relationship, in Esplanade, particularly New Market area, there was greater conflict and confrontation across the two groups. In New Market, hawkers were seen to be competing with the shop keepers for customers and cutting into profit shares. It was noticeable that hawkers and shop keepers belong to very different socio-economic ethnic groups in the Esplanade area whereas in the Gariahat area, both shop keepers and vendors seemed to belong to the same socio-economic and ethnic category.
4. In Gariahat and Esplanade, even inner lanes and by lanes have been occupied by hawkers

5. In Gariahat, Hatibagan and Esplanade, there has been a distinct rise in the numbers of vehicles. This has created new friction on the road and has led to parking requirements which conflicts with the need of hawkers to sell their wares from the pavement.
6. Infrastructure projects, particularly transport related, have lead to the multiple displacement of street hawkers across the four areas.
7. The current political party has issued a blanket statement that hawkers will be surveyed and then given proper trade license and social security cover. However no such survey seems to have been conducted. However, this has led hawkers to feel secure in many respects with the knowledge that they cannot be evicted. Newspaper reports suggest that this has also led to a sudden influx of hawkers on pavements which were hitherto free of of such activities. HSC as a Union has therefore been trying to mobilise hawkers, but with little success, to press for the implementation of the 2014 Central Act.
8. At the time the research was conducted, there was a stalemate in terms of implementation of the 2014 Act at the state and local level. Though Rules had been drafted by the Urban Development Department, these had not been finalized. The HSC and other unions representing the hawkers were opposed to the Rules and were demanding the election of a Town Vending Committee which would then decide upon vending and non-vending zones, conduct elections, and frame regulations , look into grievances. However, there was a debate about who should be part of the Town Vending Committee – who could represent vendors and how much control the urban local body would have over the working of the TVC. Moreover, the HSC had struggled to get recognized the one-third rule wherein informally hawkers would self-regulate the space of the footpath and leave two-thirds free for pedestrian movement. In August 2018, the West Bengal Urban Street Vendors Rules were framed and published, ending the long drawn negotiations between the unions and the government.
9. **Apart from the Rajarhat area, there were very few women vendors in these established vending areas, pointing to a gendered exclusion**

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