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## India's National Policy on Urban Street Vendors

India is one of very few countries that has developed a National Policy on Urban Street Vendors. The policy was adopted in 2004 with the objective of providing and promoting a supportive environment for street vendors to earn livelihoods, while at the same time reducing congestion and maintaining sanitary conditions in public spaces and streets. This Briefing Note describes the process by which India's National Policy on Urban Street Vendors was developed, the content of the policy, and the ongoing story of its implementation.

In India, a national policy is essentially a statement of intent by the government and does not have the legal “teeth” that a law has.<sup>3</sup> Rather, it is often an important first step toward the establishment of laws. Though its implementation since 2004 has been weak and uneven, India's Supreme Court has upheld the fundamental rights of street vendors in court cases over time, and in October 2010 called on the government to enact a law on street vending no later than June 2011. This Supreme Court judgment reinforced the need for state and local governments to implement binding laws based on the National Policy.



**India's National Policy on Urban Street Vendors explicitly recognizes the contributions of street vendors to urban life.**

Photo: S. Kumar, SEWA Bharat

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<sup>3</sup> India is a federal union of 28 states and seven union territories, with over 5,000 cities. In order for a national policy to go into effect, it must be ratified at the level of states and cities.

India's National Policy on Urban Street Vendors is unique not merely because it exists, but also because of the supportive approach it takes toward street vendors, giving them dignity and recognition in the national policy arena. The policy explicitly acknowledges the contribution of street vendors to urban life, and is designed as a major initiative for urban poverty alleviation.

## The Policy Process

### Forming a National Association of Street Vendors

India's big cities confronted problems in the 1990s that were familiar to many cities worldwide: increasing urbanization, congestion, deficits in formal job opportunities, and growing informal economies. As in other countries, the urban elites' drive to achieve "world class city" status generated large-scale evictions of street vendors in several cities, and many small organizations of street vendors emerged to protest these evictions. These protests were mostly confined to targeting local authorities and resolving local issues regarding the use of public space for street vending.<sup>4</sup>

Internationally, street vendors began to organize in the 1990s as globalization and urbanization exacerbated city-level conflicts between vendors and local authorities. In November 1995, representatives of street vendors from 11 cities across five continents

held the inaugural meeting of the International Alliance of Street Vendors in Bellagio, Italy. The Bellagio International Declaration of Street Vendors, signed by representatives at that meeting, called on governments to establish national street vending policies. The international declaration was a landmark development in the vendors' movement at the global level.

Following the Bellagio Conference, street vendors and allied organizations in India formed a national organization to propel the vendors' struggle onto the national stage. In September 1998, the National Association of Street Vendors of India (NASVI)<sup>5</sup> was born. From that moment, NASVI set out to change perceptions of street vendors nationwide. As Ela Bhatt, founder of SEWA and one of the key architects of the national movement, said:

*Basically what we need is a change of perception, so that businesses and planners see vendors as entrepreneurs and vending as legitimate employment. After all, neither industry nor government is able to provide jobs to the citizens .... If we are able to increase our organized strength, make strategic alliances and link up with other groups like planners and academicians, we will be in a better position to dialogue with the political structures. We must make politicians see us not just as vote banks, but as contributors to a new*

### India.<sup>6</sup>

From the time of its formation, NASVI sought to create a supportive environment for street vendors by fortifying its organizational structure, advancing policy interventions, engaging in dialogue with administrators and planners, and building the capacity of its member organizations. In 2003, NASVI registered under the Societies Registration Act of 1860, and since has offered membership to trade unions, community organizations, non-governmental organizations (NGOs), and professionals.

### Researching the Issues

One of NASVI's first major activities after its formation in 1998 was to conduct a comprehensive study on street vendors in seven cities across India.<sup>7</sup> The study played a key role in the development of NASVI's subsequent advocacy strategies: it provided concrete data for identifying key issues, developing concrete proposals, and furthering the cause of the street vendors in the form of a national movement.

The aim of the study was to examine objectively the problems of street vendors in seven urban areas. It was unique in that its focus was not street vendors in isolation, but rather street vendors as an integral part of the broader urban context. The study outlined municipal laws and police acts, urban planning, socioeconomic conditions of vendors, and perceptions of consumers in each of the seven selected cities. It concluded that street vendors exist because of the high demand for their services, and that urban planners and legal environments should

<sup>4</sup> One of the exceptions was the Self-Employed Women's Association (SEWA), which began organizing street vendors in the city of Ahmedabad in the 1970s and has been advocating on behalf of street vendors in national forums since the 1980s.

<sup>5</sup> More information about NASVI can be found at its website, [www.nasvinet.org](http://www.nasvinet.org).

<sup>6</sup> Interview with Mirai Chatterjee, SEWA General Secretary, as recorded in *Seminar No. 491* (July 2000).

<sup>7</sup> "Hawkers and the Urban Informal Sector: A Study of Street Vending in Seven Cities," conducted by Sharit K. Bhowmik (Tata Institute for Social Sciences) for the National Alliance of Street Vendors of India, 2001. Available on WIEGO's website: [www.wiego.org](http://www.wiego.org).



accommodate accordingly.

In presenting concrete data on street vendors in the context of their urban environment, the study provided a baseline for developing long-term solutions to common problems associated with street trade. This enabled NASVI and its affiliates to shift their attention from short-term responses to threats, toward longer-term strategies for securing vendors' livelihoods.

The findings of the study thus became the platform for NASVI's future activities. They called into question common perceptions of street vendors by linking vendors to consumers, and by highlighting their contribution in subsidizing a section of the urban poor. The study also, importantly, presented street vendors as hardworking entrepreneurs and an essential part of city commerce.

In May 2001, NASVI presented the findings of the study to the Government of India's Ministry of Urban Development and increased pressure on the government to develop a national policy on street

vending. The Government of India formed a National Task Force on Street Vendors in August 2001 to draw up that policy.

### Writing the Policy

The policy development process itself was unusual in that it included consultation with poor people in their roles as workers. By inviting NASVI and SEWA to be members of the National Task Force, the Government of India established a policy process that was consistent with the Bellagio Declaration's call for "appropriate, participatory, non-formal mechanisms with representation by street vendors and hawkers."

The National Task Force on Street Vendors also included senior officials of the Ministry of Urban Development, mayors, municipal commissioners and senior police officials. The Drafting Committee, a smaller group that drafted the text of the National Policy, included NASVI, SEWA, and the author of the NASVI study. Much of the content and approach of the policy can be attributed to the presence of

**The National Association of Street Vendors of India (NASVI) was formed in 1998. After its formation, NASVI helped write the National Policy and since then has pushed for its implementation.** Photo: S. Kumar, SEWA Bharat

activists and representatives of the vendors' movement in the policy development process.

The Drafting Committee aimed to keep the content of the policy consistent with the Supreme Court of India's landmark decisions on street vending issues. Since 1985, the Supreme Court had ruled that street vending was a constitutionally protected practice, subject to reasonable restrictions. The Court's judgment in the 1985 case of *Bombay Hawkers' Union v. Bombay Municipal Corporation*, for example, outlined a scheme for regulating licenses to be issued to street vendors (hawkers) and for creating hawking and no-hawking zones.



**Since 1985, the Supreme Court of India has ruled that street vending is a constitutionally protected practice, subject to reasonable restrictions. The National Policy on Urban Street Vendors was launched in 2004 and revised in 2009.**

Photo: S. Kumar, SEWA Bharat

In the 1989 case of *Sodan Singh v. New Delhi Municipal Committee (NDMC)*, the Court again ruled that “the right to carry on trade or business mentioned in Article 19(1)(g)<sup>8</sup> 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 for no other use.” This judgment is significant because it recognizes the conditions of poverty in India that drive people to engage in street trading as a livelihood, and states bluntly that “there is no justification to

deny the citizens of their right to earn livelihood by using the public streets for the purpose of trade and business.”

Crucially, the Court also recognized in *Singh v. NDMC* that street traders “can considerably add to the comfort and convenience of the general public, by making available ordinary articles of every day use for a comparatively lesser price.” The Court’s recognition of the positive contributions of street trade came at a time when issues related to the informal economy were gaining centre stage in the national policy arena. The recognition of the need to allow people to earn their livelihoods as street vendors created a supportive environment for the national policy.

The policy was finalized in 2004 and launched as the National Policy on Urban Street Vendors.<sup>9</sup> In that same year, the government set up a National Commission for Enterprises in the Unorganized Sector (NCEUS) to examine the problems of small

enterprises and suggest measures to overcome those problems. The Prime Minister’s office asked the NCEUS to review the new National Policy on Urban Street Vendors as part of its work. The NCEUS consulted with NASVI and other organizations of street vendors who expressed a concern that street vendors continued to face harassment and insecurity despite the Supreme Court judgments recognizing their rights.

Based on its conversations with stakeholders, the NCEUS issued a report in 2006 offering recommendations for revising the policy to make the most important aspects of policy implementation more specific. The report emphasized the role of Town Vending Committees, to be constituted by municipal officials and street vendor representatives, in managing and monitoring the policy’s implementation in each locality according to local conditions. Informed by the 2006 report, the Government of India issued a revised policy in 2009.<sup>10</sup>

<sup>8</sup> Article 19(1)(g) of the Indian Constitution gives the Indian citizen a fundamental right to practice any profession, or to carry on any occupation, trade or business. This right is limited only by the right of the state to prescribe professional or technical qualifications for certain trades or professions, and the right of the state to create monopolies in certain trade, business or industry in the interest of the general public.

<sup>9</sup> The original 2004 policy is available from the NASVI website at [www.nasvinet.org/userfiles/file/National%20Policy-2004.pdf](http://www.nasvinet.org/userfiles/file/National%20Policy-2004.pdf).

<sup>10</sup> The 2009 National Policy on Urban Street Vendors is available at [mhupa.gov.in/policies/StreetPolicy09.pdf](http://mhupa.gov.in/policies/StreetPolicy09.pdf).

# The Policy Content

The starting point for India's National Policy on Urban Street Vendors is an explicit recognition of the positive role of street vendors in generating employment and in providing essential goods to people at affordable prices and convenient places. While recognizing the need for regulation of street vending, the policy aims to reflect the spirit of the Constitution of India on the rights to work and equal protection before the law. Notably, the policy explicitly views street vendors as an asset for urban economies (see Box 1).

The 2009 Policy is organized around seven specific objectives (see Box 2) that aim to balance the need to promote vendors' livelihoods with the need to prevent overcrowding and unsanitary conditions in public spaces and streets. The explicit goals of establishing legal status for vendors, including vending zones in urban planning, and ensuring a transparent regulation system are critically important. These policy objectives are meant to overcome the persistent problems of police harassment and political patronage that are routinely found in countries worldwide.

India's policy also serves as a model internationally in that it prioritizes inclusive urban planning processes, with a focus on giving a voice to street vending associations. The policy aims not only to promote organizations of street vendors, but also to make their participation in urban planning (via Town Vending Committees) an institutional feature of local governance. It also explicitly calls on vendors to regulate themselves in matters of hygiene and waste disposal, and aims to improve access of street vendors to the types of services from which they are typically excluded.

## Box 1: Excerpt from the 2009 National Policy on Urban Street Vendors

This Policy recognizes that street vendors constitute an integral and legitimate part of the urban retail trade and distribution system for daily necessities of the general public. As the street vendors assist the Government in combating unemployment and poverty, it is the duty of the State to protect the right of these micro-entrepreneurs to earn an honest living. Accordingly, the Policy aims to ensure that this important occupational group of the urban population finds due recognition at national, state and local levels for its contribution to the society.

Source: Par. 1.7, National Policy on Urban Street Vendors, 2009

## Box 2: Objectives of the 2009 National Policy

**Legal Status:** To give street vendors a legal status by formulating an appropriate law and thereby providing for legitimate vending/hawking zones in city/town master or development plans, including zonal, local and layout plans, and ensuring their enforcement;

**Civic Facilities:** To provide civic facilities for appropriate use of identified spaces as vending/hawking zones, vendors' markets or vending areas in accordance with city/town master plans, including zonal, local and layout plans;

**Transparent Regulation:** To eschew imposing numerical limits on access to public spaces by discretionary licenses and instead moving to nominal fee-based regulation of access, where previous occupancy of space by the street vendors determines the allocation of space; or creating new informal sector markets where space access is on a temporary turn-by-turn basis. All allotments of space, whether permanent or temporary, should be based on payment of a prescribed fee fixed by the local authority on the recommendations of the Town Vending Committee to be constituted under this Policy;

**Organization of Vendors:** To promote, where necessary, organizations of street vendors (e.g. unions/cooperatives/associations and other types of organizations) to facilitate their collective empowerment;

**Participative Processes:** To set up participatory processes that involve firstly, local authority, planning authority and police; secondly, associations of street vendors; thirdly, resident welfare associations; and fourthly, other civil society organizations such as NGOs, representatives of professional groups (such as lawyers, doctors, town planners, architects, etc.), representatives of trade and commerce, representatives of scheduled banks and eminent citizens;

**Self-Regulation:** To promote norms of civic discipline by institutionalizing mechanisms of self-management and self-regulation in matters relating to hygiene, including waste disposal, etc. amongst street vendors, both in the individually allotted areas as well as vending zones/clusters with collective responsibility for the entire vending zone/cluster; and

**Promotional Measures:** To promote access of street vendors to such services as credit, skill development, housing, social security and capacity building. For such promotion, the services of Self Help Groups (SHGs)/Co-operatives/Federations/Micro Finance Institutions (MFIs), Training Institutes, etc., should be encouraged.

Source: Par. 1.7, National Policy on Urban Street Vendors, 2009



**The Policy calls for spatial planning norms that acknowledge and accommodate the existence of demand-driven, locality-specific “natural markets” where street vendors tend to congregate.** Photo: S. Kumar, SEWA Bharat

The rationale and objectives of the National Policy echo the Supreme Court of India's judgment that street vendors play an essential role in urban retail distribution networks. The key elements of the policy are then designed to reinforce that role.

Among those key elements (Section 4 of the Policy; see Box 3), one of the most significant is the call to establish norms for spatial planning that acknowledge the existence of demand-driven, locality-specific “natural markets” where street vendors tend to congregate.

Recognizing that this demand for street vendors' goods and services is highly specific and varies with location and time, the policy emphasizes the importance of making spatial planning processes inclusive and allocating space for street vendors according to existing patterns of demand.

The recognition of the need to keep vendors in natural market areas goes directly against the global

### Box 3: Contents of the 2009 National Policy

- 1. Rationale**
- 2. Definitions**
- 3. Objectives**
- 4. Key Elements of Policy**
- 5. Eviction, Relocation and Confiscation**
- 6. Promotional Measures**
- 7. Action Plans for Stakeholders**
- 8. Monitoring & Review**
- 9. Dispute Resolution**

trend of removing street vendors from natural markets and allocating space to them in areas that eventually prove to be commercially not viable. The widespread tendency of local authorities to move vendors out of natural markets deprives urban consumers of convenient retail options; it also exacerbates the cycle of vendors being evicted and then eventually reoccupying the same spaces.

Another centrepiece of the policy is its elaboration of participatory mechanisms for street vending organizations via Town Vending Committees (TVCs). The policy calls for TVCs to be constituted at the city or town level to supervise the process of planning, organizing, and regulating street vending activities. It recommends that representatives from street vending associations constitute 40 per cent of TVC members, while local authorities, community and residential associations, and other civil society organizations each represent 20 per cent of TVC membership. The TVC is thus viewed as a participatory mechanism through which ground-level realities can inform the local policy process.

Also significant are the policy's recommendations on non-discretionary regulation of vendors' access to public spaces. The policy calls for all existing stationary vendors who will personally run their stalls and who have no other means of livelihood to register with the TVC. The relevant municipal authority should then set a nominal fee for registration and issue an Identity Card to each registered vendor.

In addition to the registration fee, vendors should be charged a monthly fee toward the space

they use and the civic services they receive; that fee, collected through the TVC, should be based on a predetermined rate and not amenable to any kind of discretion or extortion.

The policy's emphasis on non-discretionary regulation aims to remove opportunities for rent-seeking and political patronage that have undermined regulatory systems in the past. Similarly, the policy allows for new entrants to register as street vendors; suggests that there should be no numerical restrictions or quotas for registration; and prohibits the sale or transfer of registration documents among vendors.

Collectively, these provisions represent a system in which it is relatively easy to register, but in which transferring a license and operating without a license are not tolerated. Thus, the provisions are designed to eliminate practices of corruption and harassment that in the past have undermined the efforts of honest street vendors to earn a livelihood.

may be implemented. A policy often is a prelude to a law, and provides a framework within which a law may be further developed.

From the time the policy was adopted in 2004, NASVI and its affiliates sought to place pressure on state and local governments to implement it on the ground. As a standard process, the state and local governments would ratify the policy as a first step. Then, the local government would conduct a census or survey of vendors and set up the TVC (and, if necessary, ward-level vending committees) with representation from street vending organizations.

The existing licensing system would be abolished, and registration of street vendors would start anew in accordance with terms established in the National Policy. Meanwhile, once local authorities provided for vending spaces in master plans, development plans, zonal plans and local area plans, they would work with TVCs to map the vending zones and move forward with identity cards, fees, and public service provision.

The overall story of policy implementation is one of mixed results. As in other federal systems, policy implementation in India is often uneven across states and cities. In the case of the National Policy on Urban Street Vendors, some states and cities have moved forward to implement the policy only to come across obstacles along the way, while others have yet to take any steps at all. Others have implemented parts of the policy, but not according to the standard process outlined above. Table 1, on the next page, provides an overview of the policy implementation results to date.<sup>11</sup>

## Policy Implementation

### Overview

The National Policy for Urban Street Vendors is a set of guidelines prepared by the Government of India. In India, a national policy constitutes a statement of intent by the Government. It does not have the legal weight that a law has; rather, it directs national, state and local governments to take action on relevant issues so that the policy

<sup>11</sup> The information presented in Table 1 was provided by NASVI and verified by field visits in some locations.

**Table 1. Status of Policy Implementation at the State Level**

	<b>Policy Adopted at the State Level</b>	<b>State Level Vendors Survey</b>	<b>City Level Vending Zones Defined</b>	<b>Membership-based Organizations' (MBOs) Activities</b>	<b>State Level Vendor Federation/Alliances</b>
<b>Madhya Pradesh</b>	2005	Complete in almost all cities	1400 vending zones defined in major cities; 90,000 street vendors with identity cards	Strong but confined to a few cities	Strong vendors' organizations in some cities; a strong NASVI presence at the state level
<b>Andhra Pradesh</b>	2007	Complete in some cities, but policy excludes stationary vendors	Defined in very few cities	Several activities since 2005: post-card campaigns, city-wise mobilization, petitions	Strong but fragmented organizing by vendors
<b>Uttar Pradesh</b>	2007	Complete in some cities	Registration and identity cards issued in several cities; vending zones defined	Very active: yearly state-level meetings; letters and petitions to government; litigation	Not a registered federation but a strong state network, under the umbrella of NASVI
<b>Rajasthan</b>	2008	Very weak implementation, complete in a few cities	Pending	State level meetings since 2007; protest marches and campaigns, but less active now	No alliance at the state level, but strong NASVI presence
<b>Maharashtra</b>	2009	Complete in some cities	Defined in very few cities	Very active: multiple demonstrations and petitioning at highest level; judicial action	Strong vendors' federation advocating for policy
<b>West Bengal</b>	2010	Survey started	Pending	Active at the city (Calcutta) level: protest marches, drawing media attention to the plight of vendors	Strong organizing at the city level
<b>Kerala</b>	2011	Pending	Pending	Strong, but confined to a few cities	Strong NASVI linkages with the trade union wings of the left political parties



As the table indicates, the national policy has been adopted in seven of India's 28 states since 2005. Elsewhere, some states have made progress toward implementation. In Bihar, though the policy has not been passed, a survey of vendors has been completed throughout the state. Local

authorities in Delhi have prepared a regulatory scheme for urban street vendors in accordance with the policy. The state of Chattisgarh has adopted by-laws for the regulation of street vending, demarcated vending zones and begun to form TVCs. The state of Jharkhand has

**While several states and cities have taken steps to implement the policy, many others have made little or no progress toward implementation.**

Photo: S. Kumar, SEWA Bharat

prepared a Jharkhand Urban Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2010, though it is not yet a law. Only the state of Arunachal Pradesh has enacted a law for regulating street vending at the state level, in March 2011.

Countrywide, more than 25 cities have shown some movement toward implementing the National Policy. Many of those cities are in states where the National Policy has been ratified. In addition, nine cities outside the states that have ratified the policy (Pune, Pimpri, Hyderabad, Delhi, Vijayawada, Warangal, Patna, Saharsa, and Vishakhapatnam) have implemented the policy at the city level even though it has not been passed at the state level.

Policy implementation is moving at different rates and along different paths across the various cities and states. All states that had a policy in place by 2009 have taken steps to conduct a survey or census of vendors, at least in some cities, in order to lay the groundwork for defining vending zones and setting up a registration and licensing system. In a few cities, vending zones have been defined, vendors have been registered, or identity cards have been issued. However, in most cases the various components of implementation are moving forward unevenly.

Moreover, there are many states and cities that have made little or no progress on policy implementation. In cities that practice exclusionary urban planning, violations of street vendors' fundamental rights continue. In response to growing violations of street vendors' rights in these cities, NASVI launched nationwide protests in December 2010 calling on state and local governments to

halt ongoing evictions and implement the National Policy in accordance with the 2010 Supreme Court verdict upholding vendors' rights, and calling on the central government to enact a comprehensive central law. NASVI also submitted a memorandum to the Ministry of Home Affairs urging the government to protect vendors' livelihoods.<sup>12</sup>

## The Case of Bhubaneswar

Despite the frustrations with regard to policy implementation, one initial success story can be found in the city of Bhubaneswar, capital of the state of Orissa in eastern India. Ironically, neither the State of Orissa nor the city of Bhubaneswar has officially passed the National Policy, but the city has used the National Policy guidelines for regulating street vending and designing vending zones in the city. The case is unique in that the city administration was able to create a partnership between public, private, and community organizations, including an important role for membership-based organizations of street vendors.

As recently as 2006, street vendors in Bhubaneswar had been the subject of violent evictions, and had engaged in protests and other clashes with city officials. At that time, several strong but localized street vending organizations existed in the city. As part of its campaign to bring an end to evictions of street vendors, NASVI intervened by creating a platform of common demands to bring together the vendors' organizations. Building on this intervention, two state level federations of street vendors, with NASVI support, became active partners in the

creation, design, and management of Bhubaneswar's vending zones.

After the NASVI intervention, the Bhubaneswar Municipal Corporation worked with NASVI and other authorities to conduct a photo survey of existing vendors to help determine which vendors would occupy which vending zones. Jointly with a local street vendors' federation and city councilors, the city administration identified areas to be designated vending zones. In the process of creating those zones, city officials harnessed stakeholders from the private sector and the community under the banner "city for all, and all for the city," forging several public-private partnerships to facilitate cost sharing among the stakeholders.

Initially the Bhubaneswar Municipal Corporation did not issue individual street vending licenses. Instead, it allowed the local street vendors' federation, NKUBM, to verify the declaration forms submitted by vendors. This extra step enabled the federation and the city to make sure that licenses were not issued to "proxy vendors" attempting to get space inside the vending zones. The administration is now working with a vendors' union to distribute spaces within the relevant vending zones.

## Key Achievements of the National Policy

Since the central government first adopted the National Policy, the journey toward implementation on

<sup>12</sup> "National Alliance of Street Vendors of India (NASVI) Staged a Protest Dharna in Delhi Against Growing Human Rights Violations," World PR Wire (13 December 2010).

the ground has been long, uphill, and uneven. Yet overall, there are some notable achievements, not only concerning policy implementation but also with regard to the broader goals of street vendors and their organizations.

## Visibility

The most significant achievement of the National Policy has been to successfully bring attention to street vendors, the issues they face, and their positive contributions to urban life. As in other countries, the regulation of street trade in India has remained mostly a product of local, day-to-day political struggle. Yet the National Policy has marked a paradigm shift in the government's approach to street vending, according to Arbind Singh, NASVI National Coordinator. The policy is also viewed as a landmark for the urban informal economy more generally, because it represents the first time the government has taken steps to regulate a significant portion of self-employed workers.

In raising the visibility of street vendors and their positive contributions to cities, the National Policy has served as a counterweight to prevailing negative views of street vendors. This increased visibility has come at a critical historical moment for street vendors.

Since India began globalizing, vendors have become more exposed to criticism and repression: politicians often prioritize attracting foreign investment over inclusive planning; planners view the poor as obstructions to infrastructure development; resident welfare societies see vendors as security threats; and local authorities consider vendors as illegal occupants of public space.

In contrast to these critical views, the National Policy places responsibility for protecting and promoting the urban poor and their livelihoods squarely with the state. While acknowledging the need for effective regulation, the policy also emphasizes the importance of inclusive planning through democratic, consultative processes with street vending organizations. Together with the Supreme Court judgments upholding vendors' rights, the National Policy has raised the profile of street vendors and their need for secure livelihoods.

## Voice

The National Policy and its implementation process have stimulated organizing among street vendors, particularly in their efforts towards federating and building larger and more sustainable alliances and networks. By providing vendors with a long-term vision of how street trade could be regulated to provide sustainable livelihoods, the policy has created a new incentive for vendors to strengthen their organizations and overcome existing divisions between organizations.

Street vendors in India have been forming small organizations for a long time. Yet until the National Policy was passed, they rarely registered their organizations or built them to scale up or to become sustainable over time. Rather, vendors usually came together easily at the local level, but only to resolve immediate problems or to respond to a particular issue at a single point in time. Given the vulnerabilities associated with their work – including high turnover, mobility, spatial dispersion, unstable sites of operation, and competition within the sector – vendors have had few incentives for investing their limited resources into organizing efforts.

Since the National Policy was put in place, however, the vendors' movement has gathered strength. The smaller local-level organizations have been able to use the National Policy as a reference point for protesting evictions and police harassment. Moreover, smaller organizations in some states (such as Bihar and Uttar Pradesh) have federated at the state level to demand the implementation of the National Policy. According to vendors interviewed for this note, the policy itself has become an important tool for organizing, as it offers concrete solutions to common problems and represents a platform from which organizing efforts can be launched.

Although the implementation of the National Policy is far from complete, each step in the implementation process has helped provide a focal point for vendors' organizational efforts. For example, once a city decides to conduct a census of street vendors, local vending organizations may use the results in advocating for their rights. Once a city has issued identity cards, organizations have the legal status they need to negotiate with city officials and to resist evictions.

Street vending organizations have also acted as watchdogs in the formulation and implementation of the National Policy. They have provided continuity and held the city administration and politicians firm to their commitments, even as officials have been transferred and different political parties have assumed power. The presence of a national alliance, NASVI, as a repository of knowledge and experience from other states has acted as a catalyst in this process. Even when a city adopts a policy for the vendors, it may confine the implementation process to demarcating the no-

vending areas, without developing vending zones or registering vendors. In these cases, vendors have pushed for full implementation of a transparent and participatory, citywide plan to incorporate street trade as a permanent feature of urban life.

Even small, local victories that have emerged through the implementation process have helped strengthen street vending organizations across India. Each benefit that an organization delivers helps reinforce that organization's credibility and strengthen its position in the local political environment. Vending organizations' pursuit of judicial interventions and their media and publicity campaigns have further bolstered street vendors' positions in public discourse, which has long been dominated by negative public perceptions of street trade. By using

the policy to resist evictions, call attention to their working conditions, protect their personal safety, secure their merchandise, resist harassment and demand legal recognition, vendors' organizations have rallied support for their claim to a place in the policy process.

complexities of India's federal system of government,<sup>13</sup> and to secure a role for street vendors in urban planning processes.

These efforts may be aided by a Supreme Court verdict issued in October 2010, which calls on the "appropriate government" to enact a law on street vending no later than June 30, 2011.<sup>14</sup> The Supreme Court verdict argues that "structured regulation and legislation is urgently necessary to control and regulate the fundamental right of hawking." Whether the Supreme Court directive is met is an open question, as the countervailing forces operating against street vendors' livelihoods are powerful. Nonetheless, the National Policy and the Supreme Court's backing of street vendors' constitutional rights have provided a platform for an inclusive urban planning environment.

## Conclusion

The overarching contribution of India's National Policy on Urban Street Vendors is to recognize street vending as a positive and permanent feature of urban life. Although its implementation at the ground level is an ongoing story, it has provided a rallying point for street vending organizations in India at the local, state, and national levels. The key challenge now is for these organizations to navigate the

<sup>13</sup> India has approximately 3,255 Urban Local Bodies with diverse governance structures, administrative processes and political dynamics. As in other countries, the capacity of these local governing bodies to implement policy is sometimes limited.

<sup>14</sup> NASVI argues that in the case of protecting fundamental rights of livelihood and social security, the "appropriate government" is the Government of India. The Supreme Court verdict also refers to a model bill for street vending issued by the Ministry of Housing and Urban Poverty Alleviation in 2009. The bill is available at [mhupa.gov.in/w\\_new/StreetVendorsBill.pdf](http://mhupa.gov.in/w_new/StreetVendorsBill.pdf).

**WIEGO Policy Briefs offer information on policies and organizational practices that affect the informal economy. This series supports advocacy processes and disseminates better practices and ideas, contributing to a worker- and livelihood-centered approach to development.**

**ABOUT WIEGO:** Women in Informal Employment: Globalizing and Organizing is a global research-policy-action network that seeks to improve the status of the working poor, especially women, in the informal economy. WIEGO draws its membership from membership-based organisations of informal workers, researchers and statisticians working on the informal economy. For more information see [www.wiego.org](http://www.wiego.org).

**ABOUT INCLUSIVE CITIES:** Launched in 2008, the Inclusive Cities project aims to strengthen membership-based organisations (MBOs) of the working poor in the areas of organising, policy analysis

