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Hawkers Assert their Collective Power to Seek Rights in India¹

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Abstract

The World's largest democracy is on a path of rapid economic growth inspite of slow down caused by the 2008 crisis. India is seen as the fastest growing among the emerging economies. In 2014, it began new initiatives to reach other nations to market itself as possible manufacturing hub as also supplier of skilled workforce. But this is only half a story for a country which continues to be dominated by informality in both production as also employment. Figures on, both, poverty and unemployment continues to be disturbing. So is also the huge section of its population that remains untouched by the fruit of its hyper growth.

Various surveys have shown that over 90 percent of both workers and business establishments are concentrated in its informal economy. A major section of the said informal economy constitute self employed undertaking hawking or street vending as a means of livelihood. The said section is untouched by majority of the existing laws as also policies formulated for protection against unfair practices. Absence of employer-employee relations as also confusion about their status as a "worker" have been keeping them out of the scope of various protective legislations as also promotional social policies. According to the Ministry of Housing and Urban Poverty Alleviation, there are 10 million hawkers /street vendors in India. Most of them are immigrants or laid-off workers, work for an average 10–12 hours a day, and remain impoverished. They have been facing exploitation at the hand of municipal administration and police. They are treated illegal occupant of space or undertaking unauthorised business. Their power to influence state policies is negligible due to the absence as also support of the mainstream trade unions.

It was with a view to seek a specific legislation for the hawkers / street vendors to regulate their work as also seek protection from the exploitative actions that initiatives to organise them began in various cities including Kolkata in West Bengal. In course of over a decade of struggle, the hawkers have been able to organise and develop their network in major cities of about twenty three states and inturn have federated themselves in to a national body, i.e. National Hawkers' Federations [NHF]. On the other hand, NHF had been lobbying with the Government of India [GoI] for a protective legislation. Accordingly, the GoI, in 2014 enacted a national legislation, i.e. The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. It is a national legislation to regulate street vendors in public areas and to protect their rights. The power struggle among the various interests however continues, since the rules are still to be framed to bring the law into action and to provide inherent protection and benefits to workers engaged in hawking. In February 2016, the affiliates of NHF would assemble in India's national capital in a show of its collective power to seek immediate enforcement of the said legislation. The objective of the said assembly is also to convey Hawkers' collective power to the interests that had been exploiting / harassing them.

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