

18 August, 2011

To
Kumari Selja Jee
Hon'ble Minister of Housing and Urban Poverty Alleviation
Govt of India
Subject: Ten Demands of NASVI from Hon'ble Minister and her Ministry

Respected Madam

Thousands of Street Vendors from different parts of India have gathered today to protest against continuing harassment and extortion by Municipal and Police Authorities and to demand a Central law to protect the threat to livelihood which is increasing day by day as India urbanizes and globalizes. With the opening of FDI in retail we do not fear competition but eviction by Municipal and Police Authorities because of the huge bribe the retail counters will pay to local Police and Municipal officials

Central Law: We have submitted many times the provisions under which the Parliament can enact a law for street vendors (Kindly find attached once more). NASVI strongly believes that the appropriate government to legislate in this respect is the Union of India. In our view a Central Legislation on the lines of Consumer Protection Act, 1986, Right to Education Act, 2010, Right to Information Act, 2005, National Rural Employment Guarantee Act, 2005 will be better equipped to protect the livelihood of the street vendors. We request you to take personal interest and get the law enacted.

Hide and Seek between Police and ULBs: The Street Vendors are tired of this Police Vs ULBs attitude where each blames the other for pitiable situation of street vendors. But the fact is that the Police is empowered under Section 283 of the IPC to remove the street vendors which the Police uses conveniently to trouble the street vendors and also deny the once in a while effort of the ULBs. We do not understand how a state law will override this draconian section of IPC without which street vendors will continue to be grinded between Police and ULBs. An opinion on this must be taken from the Law Ministry.

Move beyond Draft Laws: In response to our letter dated 6.8.11 your office has written to us that 12 states have made draft laws. We are sorry to inform you that these have kept the draft laws since quite some time. To give an example, Andhra Pradesh has made draft laws at least 10 times while eviction and extortion continues every day. The need is to go beyond the draft laws. Our livelihood cannot be left to the destiny of these draft laws

Delhi's situation: In the above mentioned letter to us, your office mentioned that your Ministry has written letter to the Home Ministry to enact law for UT. Kindly find attached the correspondence between NDMC and Delhi Govt which shows how just formalities are being fulfilled. Also find attached the Supreme Court judgment which clearly brings out even the frustration of the highest court on the attitude of the Govt. While all these go on the Supreme Court almost every month, never ever have we heard a lawyer from your Ministry

We request you to convene a meeting of the Home Ministry, Urban Development Department of Govt of Delhi, MCD and NDMC to at least solve the problems of Street Vendors of the National Capital. 4000 street vendors applied for license in NDMC area and 1, 31,000 in MCD area but nothing has happened till date. Where should the vendors go?

Convene Meeting of States: The Regional Training Centres of your Ministry have taken a good initiative of organizing Policy Dissemination Workshop. But in these workshop only junior level

state officials and Municipal officials participate. They all request to create pressure at the state level. We thus request you to convene meetings of State Ministers and Principle Secretaries to review and impress upon them the need to address the issue and similarly of the Mayor and Municipal Commissioner

The Ministry also must be organizing National Level programs on Urban Issues. We request you to allow us participation in these events which will help us advocate our cause

Nodal Officer and Grievance Redressal: We request you to designate a Nodal officer from your Ministry who can be available to discuss and at least take some pro active action whenever there is eviction and large scale cases of harassment .At least, your Ministry can write to the concerned authority about existence of a Policy and Model Bill and so on. Today the Govt of India is silent while the 'Rome is Burning'.

Survey of Street Vendors: Many a times we have brought to the notice of the Ministry to get conducted survey of Street Vendors .Municipal Authorities are cash strapped. They do not have the money to invest in it. Please make available the money to Municipal Bodies to conduct the survey. At least those surveyed will have some tool to fight inclusion.

Support for Street Vendor Markets under JNNURM; We have raised this many a times, but we are always told that it is covered under infrastructure. It is not very clear. We request you to issue a guideline for this

Rashtriya Swasthya Bima Yojna (RSBY) – The RSBY has been extended to street vendors, but in a way it is not extended as the scheme has only been extended to registered vendors. We request you to kindly take up the matter as less than .25 percent vendors in the country would be registered. Pl find attached a letter we have written to DG (Labour Welfare) on this issue

Asian Workshop and Convention: Last but not the least, we request you to kindly be our Chief Guest on 19th November, 2011 where more than 40 leaders from other Asian countries and 2000 street vendors would be participating in a convention at V.P.House, Rafi Marg, New Delhi at 12 O'clock. While requesting for a No Objection from the Ministry for necessary visa clearance, we also urge the Ministry to be a partner and also participate financially in the event.

We appreciate your initiatives for the urban poor, particularly for housing. However we strongly feel that the initiatives taken by the Ministry have to be stepped up as cities face multiple pressures and different actors and factors pull the cities in different directions in which the poor and marginalized suffer. Street vendors, the eyesore of elites, are today facing the maximum brunt. More importantly, the poor cannot live in cities without livelihood. Livelihood has to be focused.

We hope that the pains and sufferings of street vendors would lessen considerably with these and other initiatives of your Ministry.

Thanking you

Representing voices of lakhs of street vendors of India

Sd/

Arbind Singh

National Co-ordinator along with representatives from various states