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REVIEW ARTICLE

POLICY IMPACT ON STREET VENDING, CASE OF K. R. MARKET, BANGALORE

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ABSTRACT

The urban experience of Indian cities is mixture of formal and informal spaces, both in context of spatial arrangement and material experience. The new paradigm of globalized smart cities fails to plan/ consider the presence of such street/ block activities in the planning process. Considering street vending playing a major role in contributing to India's informal economy, this paper critiques the various policies in place at international, national and at Karnataka state level. Taking the example of Gujarat state in India where street vending is included in the town planning act, the paper analyses the possibilities of failure and success of these policies. Ever increasing demand of urban informal economies is not only caused by regulatory inadequacies but rather by the failure of economic system to create enough productive employment. So the argument over here is, if these policies help to meet the larger issues? Further, the paper aims to investigate the spatial impact of street vending in high density Indian market, taking the area of scope as Krishna Rajendra Market of Bangalore city, Karnataka, India.

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INTRODUCTION

Street Vending and Informality in Indian Cities: Although informality in Indian cities constitutes of a major economic contributor, these activities lack authorization and organized planning. The planning models and policy making is much influenced by the Western ways of planning which is not responsive to the diversity of Indian culture and traditions. This approach lacks, what is much needed, "inclusive" planning which can meet the needs and priorities of Indian people. (Kleinenhammans, 2009) Informality in an urban realm can be categorized into many types namely: economic, social, religious, historical and nature related. This paper focuses on one of the major aspect of informal economy: street vending. This research paper is divided into 2 sections: firstly, what are the policies for street vending and how they fail to get implemented. And secondly, examining the current formal planning approaches in Indian cities used as a tool to provide for street vendors.

Policy Review

International Policy Review on Street Vendors: The International Labour Organization developed in 1919 aims at full employment and raising the standards of living in all countries. The mission policies have been revised in 1946, 1961 and latest in 2006. It majorly focuses of providing social security and health of all workers from 189 member states.

(Implementation of International Labour Standards for Domestic Workers, 2011) However, focusing on the primary issue of standardizing labour (mostly in context of age and gender), the policy lacks to provide light to economically unstable developing nations. Third World Informality Policy, 2018, centres on creating more formal jobs in developing nations through labour intensive growth. The policy extends state social protection and legal protection for the illegal workforce by registering and regulating informal jobs. (Skinner, 2016) However, the challenge here is the low success rate of formalizing the informal jobs. Especially in India, the informal economies need to be organized in an informal way due to social insecurity and lack to legal recognition to the informal workforce.

National Policy Review on Street Vendors: The draft bill of National Commission of Enterprises in the Unorganized Sector (NCEUS) recommends the minimum work conditions for informal workers especially regarding their wages and work hours. The central government administers the social security of the informal working by giving them health benefit. (National Commission for Enterprises in Unorganized Sector Report, 2009) However, the funds are released for registered workers and not for the 2.5% informal population of all states in India. This brings to a huge number of informal economies run without any security. Apart from NCEUS, the Unorganized Sector Workers, 2005 and the National Centre for Labour (NCL) ensures social security to all the dwellers of

unorganized housing too (Annual Report - National Centre for Labour 2017 - 2018, 2018). However, this act is an advisory body and not an empowered body which makes the implementation very vague. National Policy on Urban Street Vendors published in 2004 and then revised in 2009, sets out procedures for regulating street vending, including establishing a survey and issuing a certificate of vending to existing vendors in each city. (National Policy on Urban Street Vendors, 2009) Even though this being a big step for urban street vendors, the policy does not have any framework for the bases licence are given. Also, this policy calls for spatial planning which is not yet implemented in many states. The Street Vendors Act, 2014 again regulates the street vending activity by protecting their livelihood and providing them with a conducive environment for carrying out business. It also stipulates that cities shall establish Town Vending Committees (TVC) with members drawn from all stakeholders including vendors themselves. (The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014) However, the act does not consider the current situation on ground. The policy allows 2.5 per cent of the total population to accommodate for vending which is much lower than the actual figures. In such cases, what are the parameters on which licences will be given is undefined.

from semi-skilled labour followed by unskilled labour, skilled labour and highly skilled labour in Karnataka. The outcome of this is the Karnataka Skill Development plan, 2017 which sets up skill development, entrepreneurship and livelihood department to help the youth to acquire necessary skills and expertise to increase their businesses. It aims to undertake the functions of regulation, standardization, promotion, implementation and monitoring all skill development initiatives in the state. (Karnataka Skill Development Plan, 2017) However, the authorities fail to approach in a holistic way. Skill development is not the only way to seek employment; there are other issues like urban poverty and housing.

Case Studies

Along with policies at various levels, there are several institutions and organizations helping the street vendors to ensure social security and better quality of life.

Example 1: SEWA (Self-employed Women's Association), registered in 1972 under Trade Union Act 1926 aims to help the members fulfil their basic needs especially street vendors included.

Evaluation of Policies supporting and restricting street vending in India

Laws Restricting Street Vending	Laws Supporting Street Vending
1. Indian Penal Code 1860: Section 283 <i>Allows for a fine issued to anyone who causes danger, obstruction or injury in a public way</i>	1. Fundamental Rights Article 19 (1)(g) <i>Protection of rights regarding freedom to practice any profession or carry out any trade or business.</i>
2. The Bombay Provincial Municipal Corporation Act, 1949 <i>Empowers municipal authorities to acquire premises for the purpose of street improvement, such as widening or expanding, or building a new street. The commissioner has to ensure all vendors are licensed or the authorities have right to confiscate wares sold through hawking.</i>	2. Directive Principles and State Policies <i>Protection of rights regarding freedom to practice any profession or carry out any trade or business.</i>
3. Bombay Police Act, 1951 <i>Describes the duty of a police officer to regulate and control traffic on the streets, prevent obstruction and regulate access to public street to avoid overcrowding.</i>	3. National Policy for Urban Street Vendors, 2004 <i>Street vending to be an integral and legitimate part of urban retail trade by demarcating zones, designating 2 to 2.5% city's population and providing them with basic infrastructure.</i>
4. Criminal Procedure Code, 1973 <i>Allows a police officer to arrest (within 24 hours) anyone who commits obstruction on public spaces without permission.</i>	4. National Policy for Urban Street Vendors, 2009 <i>Vending zones were demarcated into free vending zones, restricted vending zones and no vending zones. Continuous dialogues were held by state government to implement.</i>
5. Motor Vehicle Act, 1988 <i>Penalizes anyone who obstructs the traffic on public highway.</i>	5. Street Vendor Scheme, 2010 (Ahmedabad) <i>Sewa requested implementation of the existing street vendors policy representing the vendors and also including the salient features of national street vendor policy.</i>
6. Gujarat Town Planning and Urban Development Act, 1976 <i>Reserves land for town planning scheme for the purpose of roads, open spaces, gardens, etc. Thus, penalizes vendors if they carry out businesses in any area without permission and permits the removal of unauthorized developments.</i>	6. The Street Vendor (Protection of Livelihood and Regulation of Street Vending) Act, 2014 <i>The act prevents harassment by the police and the local authority if street vendors are vending in accordance with the policy. No natural or heritage markets will be declared as no vending zones.</i>
	7. Town Vending Committee of various cities <i>Street vending is one of the characteristic of Indian economy which leads town planners to consider vending in the development plans. For example - Ahmedabad and Gandhinagar.</i>

Review of Karnataka State Policies for Street Vendors:

Under Karnataka Urban Development Authorities Act, 1987, BDA (Bangalore Development Authority) was formed and given power to promote and secure the development of Bangalore urban area by involving the local committees. The act stipulates the local bodies to maintain regulate and sanitize the streets and markets of their individual extends. (The Karnataka Urban Development Authority Act, 1987) But the development authorities completely fail to include street vending as a part of Indian urban fabric. Also, there is a loop in the coordination of various authorities. According to Business Insider 2017, maximum demand is estimated to be generated

The organization has achieved success stories while organizing and redeveloping markets. (India's Self-Employed Women's Association, 2004) SEWA had a noticeable presence in the redevelopment of Teen Darwaza street market in Ahmedabad, funded by JNNURM. The mixed land use around this market makes the function of market as a neighbourhood level market. It sells almost everything ranging from fish, meat, and vegetables to articles of daily use, footwear, bags, toys etc. there are around 3000 street vendors in this market and around 15,000-20,000 customers visit Teen Darwaza every day. The design intervention by Town Planning Committee relocated all the vendors and made the square a public plaza with good

infrastructure. However, it is still a public plaza which encouraged all the vendors to rent out their relocated spaces and come back to the street markets of Teen Darwaza. The advocacy and government linkages was supported by SEWA which made the vendors come back and continue with their businesses. The question here arises that do redevelopment, relocation and providing infrastructures help the vendors?

Example 2: Centre for Civil Society evaluates the progress made by institutionalizing mechanisms to protect and regulate vending activities. The measure taken for street vendors supported by CCS are, policy recommendation for property rights for vendors, different ideas for licensing and promoting self-compliance.(State Compliance Index, 2017) Even though CCS aims to push the local authorities for implementing the national and state policies, there is a loop in the coordination of local bodies itself.

Krishna Rajendra Market – Current Status and Proposals:

Indian cities have seen a dramatic change in the 20th century affected widely due to various globalization policies. However, even in Bangalore we must see the urban fabric as an ever twitching organism, which constantly invents, re-invents and adjusts itself to the ever evolving demographics. This unchecked growth due to inundated waves of distressed migration, chaotic growth and apathy of administration has resulted into illegible urban structures, for example, the street markets. Yet, this is one of the important factors supporting the economy of the city. Considering this scenario in a high density market place, one must see the issues and conflicts which occur and how the solution must not always lie in design or administering the place. Krishna Rajendra Market located in Bangalore, set out a perfect scenario for high density market place primary led by tertiary economies or the informal sector. It is one of the oldest market places not only in Bangalore but the whole nation. Kempegowda II invited traders from surrounding cities and villages to encourage trade in the Pete area. In the ancient times K.R. Market was a battlefield and later on when the British took over the fort and the city (then, Pete area) it was made a public space. (Anonymous, 2016) It became the buffer between the city and the fort. However, in 1921 this public space was made an official market space named after the then king, Krishna Rajendra Wodeyar of Mysore. (Mathrubhumi Yearbook, 2014) since there used to be a platform for the vendors to sell their produce, this place was known as *Siddikatte*. Vendors came from Andhra Pradesh, North Karnataka, South Karnataka, Kolar and other parts to sell their wares like clothes, utensils, household items and fruits / vegetables. In 1997, a new building was constructed envisioned to be one of the best retail and wholesale markets, having 3 storey and 21 shell roofs, designed in a way that sunlight reaches every corner of the building during daytime.

It has modern facilities like cold storage, garbage disposal system and refrigeration system to avoid bad odour. (Anonymous, 2016) However, currently the upper 2 floors are empty even after a decade and BBMP (Bruhut Bengaluru Mahanagar Palike) have repeatedly taken steps to pull down the encroachments and street vendors around K. R. Market building. Also, the whole market space becomes messy and filthy because of unorganized way of dealing with massive amount of garbage and unplanned locations of vendors obstructing the movement all over the place. (Anonymous, 2016). The ever increasing urban informality is a result of not

only lack of planning but also rapid increase in urban poverty along with increase in population. The metro context of Bangalore provides an example that how development authorities focused on master planning lack to provide enough employment opportunities for all the people. (Benjamin, 2000) As a result, Bangalore Development Authorities faced severe problems while acquiring land around the employment nodes near Mysore road which is dominated by local economies like mechanical repairs, fabrication, weaving, recycling and vending. Thus, much of the area was not included in the master plan. The politics of settlement process is hence largely municipalized and shaped by local demands, making the local economies and vending an important aspect of economy. (Benjamin, 2000).

The current status of K. R. Market depicts congestion, unsafely atmosphere, filth and mess. The vendors are everywhere in the periphery of the market disturbing the movements around the market. In the recent times, BBMP have taken measure to remove the illegal vendors and clearing the streets for traffic. However, within two to three days, these vendors tend to come back for their business. Eventually BBMP have to give up their hold in order to let the businesses perform the demands of the city. The city roads are not the only affected areas, also the vendors who pay to various authorities are exploited. The above discussed policies do not comply with the on ground reality. The Revenue Department, Health Department and Estate Department, collect illegal taxes from the vendors, who are responsible for controlling street vending activities in Bangalore.



Figure 1. Existing plan of K. R. Market on a typical day

Analysing the above case studies and different approaches, it is clear that there has to be a unique approach for a high density market like K. R. Market. The smart city proposal for K. R. Market gives permanent licences for the street vendors along with a permanent space to vend, both inside the market building as well as the streets in the periphery. The market building whose upper floors are not used right now have been converted to multi-level car parking space up to 4 floors. Apart from these major interventions, it is also proposed to connect bus stop to Chickpete metro station through a skywalk. The streets around the market building are pedestrianized and cannot be accessed by vehicles except for the multi-level parking. (Jana USP, 2018) The conflicts with the above proposals are: First, there are more than 3000 vendors outside K. R. Market and around 1000 inside the building itself. The proposal does not even meet half of the current number of vendors. So what happens to existing vendors? Second, the number of expected cars for multi-level parking is huge. Being

a natural market and core area of Bangalore city, its roads are not designed to carry such heavy traffic. So it can be said that instead of solving congestion, such multi-level car parking might become the reason for more congestion. Third, the market works in all hours, that is, it functions as a retail market in the day time and a wholesale market during night time. Vendors from neighbouring villages come to sell their produce. Now, if the retail vendors are given permanent spaces in the periphery streets, how is the wholesale market going to function at night time? One of the conditions needed for the wholesale market to run is the easement of mobility, which is easement of loading and unloading areas. Fourth, the skywalk makes the vendor locations totally invisible. The idea of smart city proposal should not only focus on infrastructure but also support the economy which is dominant in the area. Eventually, either the vending business goes down or the skywalk becomes an urban vacuum vulnerable to crime. The above arguments do not agree with Smart City proposal proposed for K. R. Market yet it can't go unnoticed the actions from local authorities to support the development.



Source: Jana USP, Bangalore, India

Figure 2. Smart City Proposal of K. R. Market

Conclusions and Recommendations based on the review of policies

One of the reasons for the lack of implementation of policies and act is lack of a holistic approach. While the urban development authorities are responsible to develop the city in context of infrastructure and infrastructure management, the development lacks to include the street vendors which are clearly an important part of Indian economy. However, the acts and policies which talk about giving rights to street vendors have to come up with a spatial planning method for unique areas in a way that does not hinder the infrastructure development of the city. Integration of street vending into the process of urbanization and modernization may be achieved through a three-pronged approach. First, street vending should be considered as a positive and permanent feature of Indian urban life. Secondly, along with securing the role of street

vendors in the planning process, development should be uniquely done for different areas of the city. This might also avoid the conflicts between the local authorities.

Recommendations for K. R. Market, Bangalore

Giving movable vendor locations - Even though the street vendors are given licences, the spaces or the infrastructure given to them must not be permanent. The vendor carts can be movable, so that the wholesale market at night also functions.

Flexibility - Pedestrianization can be a temporary feature rather than permanent, which is the peripheral streets, can be pedestrian in the daytime but can be loading and unloading docks during night time when the wholesale market functions.

Porosity - Porosity has to be brought in like the old market area, so that the vendors get visibility directly impacting their sale. This might mean that the market can have only ground floor functional with double height in a way that it gives visibility to all the vendors. The old market buildings which stand as a façade to K. R. Market can also be made porous in nature giving more visibility to vendors along with storage space.



Figure 3. Proposed Recommendation for K. R. Market

Affordable Housing: one of the issues in the market is lack of garbage disposal system. The filth and mess that is created every day, which occupies large areas of the streets, bring unhygienic and insecurity to the place. One of the major reasons for there is no availability of living spaces. The vendors come from neighbouring villages and sell their produce until which they stay in the market. With no facility of accommodation and sanitation, more filth and mess is created. Thus, instead of a multi-level parking (which would anyway invite more traffic), hostel or accommodation facilities can be proposed, making it a mandate in smart city proposals.

Authenticity - As K. R. Market falls under the category of natural markets and heritage market, the character of the place shall be kept as much as natural as possible giving importance to its informal activities rather than infrastructure developments.

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