

District Level Meeting on Issues Related to Unorganized Labour and Hawkers Rights

30th of July 2019

Allahabad

A district level meeting on issues related to unorganized labour and hawkers rights was organized by Human Rights Law Network, Uttar Pradesh. An active support was extended by various labour unions and right groups including Azad Hawkers Street Vendor Union and BOC Federation of India. The programme witnessed the presence of notable lawyers, social activists, union members, hawker groups and students.

Mr. Bholu Nath Tiwari, Rashtiya Vice President Hind Mazdoor Sabha honored the occasion as Chief Guest. Amongst other guests Mr. Ravi Shankar Divedi, Mr. Raj Nath, Mr. Nazim Ansari and Pramod Shukla, post bearers of BOC workers federation, Mr. O. P. Singh, Mr. ShyamSundar Pandey marked their presence. The meeting was moderated by Advocate Mohd. Danish from HRLN, Uttar Pradesh.

The event began with lamp lightening ceremony by the esteemed guests. A brief discussion about the purpose and object of the meeting followed the introductory session. Mr. Ravi Divedi highlighted the challenges which are being faced by the poorest strata of the society including labourers and hawkers and as to how regressive approach of the policy makers is affecting these people. He further added that it is high time when labourers must be well aware of their rights and must know how to seek proper implementation in case of violation. He also thanked HRLN for organizing the meeting and giving voice to the marginalized section of the society.

Advocate Danish discussed about the manner in which HRLN has been contributing towards a better society by providing access to justice to those who cannot afford a lawyer. He also highlighted the kind of work HRLN Uttar Pradesh has done in the recent past particularly matters pertaining to transgender, students, women, acid attack victims, bonded labourers, survivors of domestic violence etc. Regarding the workers he told that more than 90% of the population belongs to unorganized sector. He suggested the vendors to unite and stand for themselves and also encouraged the street vendors to stay connected with HRLN so that they could help them when needed. He also discussed about their recent PIL at Allahabad High Court where High Court directed the District Magistrate, Bahraich to examine the representation (which talks about the interim compensation to the rescued bonded labour) of the petitioner and after due verification ensure that appropriate order are passed thereon within a period of four weeks from the date of submission of the certified copy of the order.

Nazim Ansari, the secretary general of BOC Federation highlighted the miserable work conditions of the *Bidi* workers in eastern UP who are barely able to make both ends meet. The existing welfare policies are even more abysmal. He added that use of illegal and arbitrary coercive action by the district administration and police authorities have reached next level and it is high time when workers have to unite and approach the government *en masse* to claim their right to livelihood and a dignified life. Organizations such as BOC Federation and HRLN are always a convenient and effective channel to raise and seek redressal of grievances.

A song inspired by labour movement and based on worker's unity was then presented by Advocate Vimal Tanha and Mr. Shailesh, which boosted up everyone's energy and flared the spirit of all present with determination.

The fourth session was presided over by Mr. O. P. Singh who discussed about his experience with the street vendors and critically observed that the vendors themselves lack knowledge and awareness towards their own rights and often bow down to illegal harassment by the police and municipal authorities. He further added that street hawkers ought to take out some time for their own selves; have to gather the courage and fight to claim their rights bestowed by the law. He stressed on the concept of self-help and prompt action by approaching the judicial forums as soon as their rights are threatened by the authorities. Adv. Mohd. Danish added that the street vendors act 2014 gives extensive rights to the town vending committee who shall be responsible for conducting of survey of all the vendors under its jurisdiction and no such vendor can be evicted without such survey; however, despite the safeguards provided by the Act, 2014, hawkers continue to face the threat of eviction and being branded as encroachers.

President of BOC federation Mr. Raj Nath urged the workers that they should be aware of the existing laws. Unorganized labourers constitute a significant portion of the Indian population, they must know their rights; their child should get free elementary education and suggested that advocates and organizations are always there for legal and administrative help. He added BOC workers are facing problems regarding registrations and renewal of their license; they all need to work on that.

Pramod Shukla the treasurer of BOC federation discussed the dreadful condition of street hawkers and vendors of Civil Lines Allahabad. Most of the vendors have been compelled to shift elsewhere without following the due process of law. Only a handful of vendors are now left in Civil Lines. He expressed his apprehension that what one vendor is facing right now can be the future of all vendors in Allahabad. So, before the next hawker is targeted everyone has to unite and fight for the collective rights as no

authority is above constitution. He requested the authorities to prescribe the vending zones and educate the vendors about the vending rules.

Chief Guest, Mr. Bholanath Tiwari stressed on the need of Women Hawkers' Federation or any other recognized women body which can collectively raise the concern and grievances of individual Hawkers. He further added that there should be a vegetable market at every 5kms so that small farmers and women vendors may not have to bear higher costs and run the risk of incidental loss. He also requested that wherever there are market places and shops the vendors should try to maintain a cordial relationship with the local shop-owners so that they can be called for help in case there is some illegal action by the authorities.

The final session was an open session for discussing the problems faced by the hawkers and labourers. The participants shared a number of problems; the most common being the regular encroachment drives carried out by the municipal authorities and harassment by the police. Advocate Danish from HRLN shared various remedies which are available in case of such actions. He also assured that since HRLN office is situated at Allahabad itself, they are available to extend legal support at any hour.

Lastly a comprehensive action plan was formulated wherein it was decided that steps shall be taken to form separate women federations. Also there is a need to spread awareness and educate the vendors of their rights and laws. It was further decided that efforts shall be made to establish a dedicated helpline for hawkers to address the immediate concerns of the hawkers. It was also decided that a PIL shall be filed for the implementation of various judgments of Allahabad High Court and the Supreme Court to ensure that there is a strict compliance of directions. It was also decided that hawkers

shall ensure maintaining proper record of all payment receipts and other documents relevant to street vending.

The meeting concluded with Adv. Danish thanking all participants and guests on behalf of HRLN.





**MEETING ON
CONTRACTOR'S RIGHTS**
ENGINEER'S SANGH, PRAYAGRAJ
Timing : 10:00 AM to 2:30 PM
and BOC Worker Federation of India



