

The Struggle for the Soul of Bhadra Chowk – A Heritage Plaza or Heritage Market?

A Case Study from Ahmedabad, India



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This case study documents the history of the struggle by street vendors, with the support of the Self-Employed Women's Association (SEWA), to retain their right to vend – and their natural market – in Bhadra Chowk, Ahmedabad, India. It brings to light SEWA's multipronged strategy, which includes:

- Organizing on the basis of solidarity, women's leadership and ownership.

- Building the capacity of women informal workers, members and leaders.

- Raising awareness among the general public and policy makers in support of informal workers.

- Creating an enabling policy and legal environment through advocacy.

- Engaging in negotiations on an ongoing basis with local government, policy makers and other key stakeholders.

- Building alliances of support for knowledge generation, technical assistance and advocacy.

- Taking legal action, when needed, through public interest litigation and other legal cases.

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“The Maidan-Shah, or the king’s market, is at least 1,600 feet long and half as many broad and beset all about with rows of Palm-trees and Date-trees, intermixed with Citron-trees and Orange-trees, whereof there are very many in the several streets: which is not only very pleasant to the sight, by the delightful prospect it affords, but also makes the walking among them more convenient by reason of the coolness. Besides this Maidan, there are in the city four Bazaars, or public places, where are sold all kind of merchandise”

Johan Albrecht de Mandelslo, Duke of Holstein
(Germany) in 1638 *Mandelslo's Travels In Western India* (p. 22)

“Natural markets where street vendors have conducted business for over fifty years shall be declared as heritage markets, and the street vendors in such markets shall not be relocated”

**Protection of Livelihood and
Regulation of Street Vending Act**
2014 (p. viii)

Introduction

In 1411, Sultan Ahmad Shah I, the founder of Ahmedabad City in Western India, built his fortified palace, the Bhadra Fort, between the Sabarmati River and the walled city, leaving a large public space, called the Maidan-Shah, between the Bhadra Fort and Trun Darwaza, a triple-arch gateway to the walled city. As Johan Mandelslo, the Duke of Holstein, described in 1638, the Maidan-Shah was planned and landscaped by Ahmad Shah I to serve as a public space for ceremonial events, festivals and an open-air bazaar for royalty held every Friday (a religious holiday for Muslims). Beyond the Trun Darwaza was Manek Chowk – a market place for commoners and the commercial heart of the walled city. Under the Marathas and British, who ruled Ahmedabad after the defeat of the Moghuls in 1757, the Bhadra Chowk area declined in importance as a centre for pomp and ceremony. But weekly markets (called *haats*) continued to operate in the area.

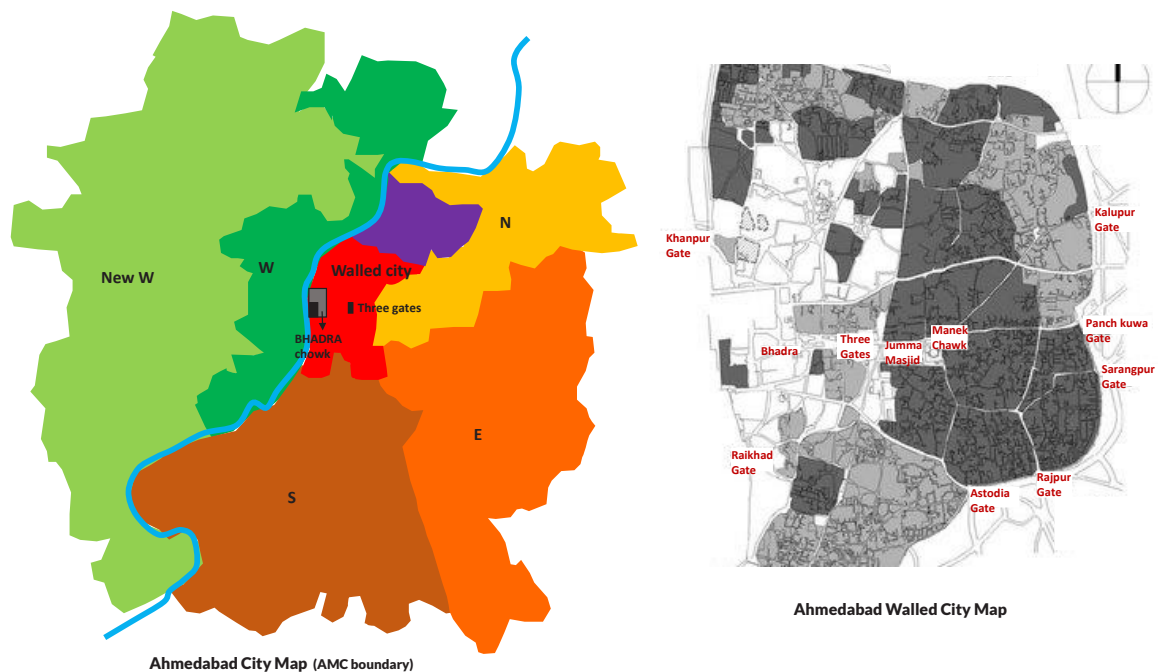


Historic photograph of Bhadra Fort and Maidan-e-Shah.

Today the Maidan-Shah area, now called Bhadra Chowk (square), no longer serves as a city centre for festivals and ceremonial occasions but is home to a thriving daily street market that dates back a century at least. The area also serves as one of the three artery roads connecting New Ahmedabad to the old walled city and the railway station and is surrounded by several important government and civic buildings, including the Civil Court, banks and a public library. The fort itself houses a Hindu temple to the goddess Kali, called Bhadra Kali in this setting. The Bhadra Kali temple attracts devotees from all over the city and the state.

Every day, an estimated 50,000 persons pass through the area – swelling to 100,000 persons during festival times. The people visiting the temple purchase devotional items used in worship from the vendors around the temple. The devotees and others passing through often stop to buy other goods sold in the market, including cosmetics, flowers, imitation jewelry, shoes and sandals, clothing, purses and bags, belts, suitcases, toys and snack foods.

Over the past century, the right of street vendors to vend in Bhadra Chowk has been contested at different points of time, especially recently, since the Ahmedabad (or Amdavad) Municipal Corporation (AMC) and the Archaeological Survey of India began restoring the Bhadra Fort in 2012 and the Bhadra Maidan in 2014.



The Bhadra Chowk area can be seen in both maps above. The map on the left is of Ahmedabad City, the one on the right is of the Old Walled City.

This case study documents the history of the struggle by the street vendors of Bhadra Chowk, with the support of the Self-Employed Women’s Association (SEWA), to retain their right to vend – and their natural market – in Bhadra Chowk. It traces, year-by-year since 2001, the efforts by the municipality to control street vending in the area and by historic conservationists to convert the area into a heritage plaza, and the responses by the vendors and SEWA to these efforts. The case study presents the perspectives of street vendor leaders, SEWA organizers and municipal authorities at critical junctures, to provide a sense of the dynamic on the ground.

Bhadra Chowk Market: The Protagonists

Street Vendors – For generations, more than 500 street vendors have sold clothes, handbags, costume jewelry, shoes and sandals, household goods and religious items at the Bhadra Chowk market.

Street vendors comprise a visible and large group of urban informal workers in India: In 2017-18, they represented over 4 per cent of all urban workers in the country (Raveendran and Vanek 2020). In Ahmedabad City, Gujarat, there are an estimated 80,000-100,000 street vendors and over 160 street markets – what SEWA calls “natural markets,” not only because they are open-air but because they have operated for decades, if not generations, where pedestrians (potential customers) naturally congregate or pass by.¹ For example, natural markets operate near mosques where Muslim devotees congregate and near temples where Hindu devotees congregate. SEWA coined and popularized the term “natural market” for areas where street vendors operate due to local demand for their goods and services. As SEWA puts it, natural markets are those which “organically evolve around the principle of demand and supply”.

Across the city, street vendors sell fruit, vegetables, flowers, fish, cooked food, clothes, pots and pans, cutlery, toys, school supplies, footwear and many other items for daily household use. Many vendors, especially those from the Patni Vagri caste, have been selling in the city’s markets for generations. While male sellers generally operate out of small stalls or sell from push-carts and bicycles, most women sell on the pavement, spreading their goods on burlap cloth alongside a city street or walking through different neighbourhoods with baskets on their heads. Those who sell from a cloth on the pavement or a basket on their head need few tools or equipment, except for a scale, a set of weights, a knife and a basket (SEWA 1988). Those who sell from a stall or push-cart or bicycle have to invest a bit more.

From haggling in the wholesale markets early in the morning, to walking the roads in middle-class residential colonies or sitting in a congested market unprotected from the elements for eight hours a day, street vending is arduous work. It is also risky work, as street vendors are routinely harassed by police and local officials. They face bribes and confiscations of their goods on a daily basis, as well as evictions and relocations on an increasing basis as city governments seek to modernize and “beautify” their cities, as in Ahmedabad. Only those who are issued licences can operate with relative freedom; all others are considered illegal or criminal – but licences have not been issued in Ahmedabad since 1980.

Between the Bhadra Fort and the Trun Darwaza, there are two groups of vendors: those in the Bhadra Chowk market area, closer to the fort, and those near the Trun Darwaza. The street vendors in the Bhadra Chowk area, who are the main protagonists in the case study, have been organized into a market association (with 376 members) and committee by the Self-Employed Women’s Association (see below). The street vendors near the Trun Darwaza were organized into the Self-Employed Labour Organization (SELO) in early 2012, after the barricade around the Bhadra Chowk area was erected, by two Congress Party-affiliated male vendors. The 370 or so members of SELO are all men – mostly Muslims who sell ready-made clothing – who vend in the crowded area near Trun Darwaza, outside the Bhadra Chowk area.

¹ In the early 2000s, there were around 150 street markets in Ahmedabad. As the city expanded geographically, the number of street markets increased. While some of the original street markets were demolished under urban renewal schemes, smaller markets often sprung up to replace them.

Self-Employed Women's Association – The Self-Employed Women's Association (SEWA) of India, established in 1972, is a trade union of low-income working women who earn their livelihoods in the informal economy. With nearly 2 million members, it is the largest national trade union in India and the largest organization of informal workers in the world. SEWA's objectives are to increase employment opportunities and income security of its members as well as their collective voice and self-reliance. To promote these objectives, SEWA pursues a mix of what it calls 'struggle' and 'development': that is, unionizing activities to address constraints and demand change and development interventions to promote better economic opportunities. To pursue these complementary strategies, SEWA organizes its membership into a central trade union and, as needed, into cooperatives; provides services of various kinds; advocates for change in the wider policy environment; and builds institutions owned and managed by its members to sustain its activities.

Street vendors were among the founding members of SEWA and have always constituted an important trade group in SEWA. As of end-2021, 45,695 women street vendors in Ahmedabad were members of SEWA, representing about 15 per cent of the total membership of SEWA in Ahmedabad. Given their visibility and their numbers, street vendors have played a key leadership role in SEWA. As a notable example, Laxmi-ben Teta, a street vendor, was an elected member of the executive committee of SEWA for three terms (1981-83, 1984-86, and 1990-92) and vice president of SEWA from 1987-89.

Local Government and Police – The Ahmedabad Municipal Corporation is responsible for the administration and civic infrastructure of the city. The executive head of the corporation is a municipal commissioner, an Indian administrative service officer appointed by the government of Gujarat.² For administrative purposes, the city is divided into seven zones, and each zone is further divided into wards. Each ward is represented by four elected corporators, including a minimum of two women corporators. The corporators elect the mayor, whose role is largely ceremonial.

The Ahmedabad City Police is responsible for law enforcement and public safety in the city. It is a subdivision of the Gujarat State Police force and headed by its own commissioner. There are 48 police stations in Ahmedabad, including one in the Bhadra Chowk area. In Ahmedabad and other cities of India, the police can justify arresting, evicting, or otherwise penalizing street vendors on the basis of several national laws: the 1860 Indian Penal Code, the 1973 Code of Criminal Procedure, and the 1988 Motor Vehicles Act (see Appendix for more details on relevant laws and regulations). Moreover, municipal governments are empowered by municipal corporation acts and urban planning laws to impose fines and warrants on street vendors for causing an obstruction or not having a licence. And yet most cities have not issued new licences for many years.

Until recently, despite the fact that India gained independence from the British in 1947 and Gujarat became a separate state from the Bombay Presidency in 1960, local authorities and the police have invoked two colonial-era laws from the Bombay

² During the 20-year period covered by this case study, 2001 through 2021, the Government of Gujarat has been ruled by the Bharatiya Janata Party, one of two national parties: the other being the Indian National Congress. Since 2011, the BJP has appointed six different Municipal Commissioners.

Presidency to control streets and street vendors in Ahmedabad. According to the Bombay Provincial Municipal Corporation Act of 1949 (Chapter XIV Streets, Section 231), street vendors are required to have licences to vend in a public space, and commissioners have the right to remove, without notice, anything that is erected, deposited, hawked or sold in contravention of the Act (Chapter XIV Streets, Section 231). And the 1951 Bombay Police Act (Chapter IV Policy Regulations, 34) authorizes the police to remove obstacles on streets or public spaces.

However, the last time the AMC issued licences to street vendors was in 1980 and only to 500 vendors, rendering all the other vendors “illegal” under the outdated laws. The regulatory gap between outdated laws and the numbers of street vendors on city streets or other public spaces creates opportunities for local operators to collect bribes or rent by informally authorizing the use of public space on a daily, weekly or monthly basis.

Under recent large-scale urban renewal and urban infrastructure schemes in cities across India, the situation for street vendors has only gotten worse. In Ahmedabad, many of the nearly 160 natural markets in the city have been demolished – or are under threat of demolition – due to a new Bus Rapid Transit system, a riverfront development project, a Model Roads scheme, and several historical preservation schemes. Each demolition involves the eviction of hundreds of street vendors – without consultation and often without plans for where to relocate them.

In January 2012, over 500 street vendors were evicted from the historic Bhadra Fort market – which the Ahmedabad Municipal Corporation plans to convert into a heritage plaza. SEWA fought to have the vendors relocated around the original market area. SEWA’s legal team is involved in multiple negotiations and legal actions in support of street vendors around the city, not just in the Bhadra Fort area.

Local Customers – In normal times, pre-COVID 19, an estimated 50,000 pedestrians – potential customers – visit Bhadra Chowk on working days, 75,000 on holidays and 100,000 or more during festivals like Navratri and Diwali (SEWA estimates). The customers include working-class and middle-class people as well as buyers from Ahmedabad City, Gujarat state or other states of India. Some are devotees of the local Bhadra Kali temple: a temple of the goddess Kali located at the base of the Bhadra Fort. These devotees buy coconuts, flowers and other items to use in their daily devotions or during festivals.

Local Operators – All of the land in Bhadra Chowk area belongs to the AMC, except for a small patch of land in front of the Bhadra Kali temple, which belongs to the temple. But four local operators, called *bhais* (brothers), control the land in cahoots with the police and AMC staff. Each *bhai* controls anywhere from 5 to 20 vending spaces, which they rent out to vendors for 300 to 500 rupees per day, earning between 1,500 and 10,000 rupees per day. Since the market is open seven days a week, some *bhais* can earn 45,000 rupees or more per month. It is not clear whether any of the *bhais* are hired by, or linked to, organized crime, but it is clear that they share their proceeds with the police and the lower echelons of the AMC staff. Periodically, higher-up officials in the AMC put pressure on the lower-level functionaries, the AMC inspection team, to get rid of the unauthorized vendors. But, after each “clean-up” campaign, the status quo soon returns.

One AMC official referred to this system as “the nexus” but added that the AMC had, recently, been able to deal with the corruption in its lower ranks.

Other protagonists in the struggle for Bhadra Chowk featured in this case study include local urban architects, planners and other historic conservationists; the Archaeological Survey of India; the national urban renewal commission; the High Court of Gujarat and Supreme Court of India; and the Parliament of India.

For a visceral sense of the market, see https://www.youtube.com/watch?v=_xtGanuLq0I

SEWA's Struggle for the Right to Vend

Historically, the Manek Chowk wholesale market was the main vegetable and fruit market in the old walled city of Ahmedabad and had another large concentration of street vendors. Well over 500 vendors have, for generations, sold goods around the main market building. Situated just beyond the Trun Darwaza, along a major thoroughfare through the old walled city, the area now also serves as a parking area for bicycles, scooters and cars. Always crowded and congested, the competition for space in the Manek Chowk area has intensified over the years. In 1982, SEWA successfully submitted a petition to the Supreme Court of India against the municipal government and police in Ahmedabad City on behalf of the street vendors of Manek Chowk. The petition claimed that by denying licences to the vendors, the local authorities were denying the vendors their fundamental constitutional right to work (in this case, the right to vend). In a 2009 precedent-setting judgment, the Supreme Court ruled that street vendors have a “right to vend” based on the “right to carry on a trade or business” (Article 19 (1)(g) of Constitution) as well as the “right to vend in public space” as all public streets and roads vest in the state, which then regulates the use of public space. The judgment also argued that courts have right to intervene if the state imposes unreasonable restrictions. More specifically, the judgment ruled that the vendors should be relocated on the roof of the Manek Chowk market and that the AMC should build stairs and lifts to the rooftop to be used by the vendors to carry their goods and by customers to reach the vendors. Until such time as these were built, the vendors had the legal right to vend on the pavement around the market. To this day, the AMC has never built stairs or elevators, and the vendors continued to vend legally on the pavement.

Throughout the 1980s, Manek Chowk remained the epicentre of SEWA’s struggle in Ahmedabad City for the rights of vendors to a space from which to vend and to freedom from harassment, confiscations and evictions. Later the struggle expanded to include street vendors around the Jamalpur vegetable and fruit wholesale market and the flower wholesale market and, eventually, the vendors of Bhadra Chowk.

Meanwhile, SEWA was also working on the rights of street vendors at the national level. In 1988, Ela Bhatt, the founder of SEWA and then-member of the Rajya Sabha (upper house) of the Parliament of India, moved a resolution in Parliament calling for a national policy on street trade. A decade later, in 1998, SEWA co-founded the National Association of Street Vendors in India (NASVI). Meanwhile, SEWA had engaged with the Ministry of Urban Development to set up a committee to formulate a national policy on street vending. The policy was adopted in 2004 and revised in 2009.

The national policy recommended “that state and local governments register street vendors, issue identification cards to street vendors, and amend legislation and practice to reduce the vulnerabilities of street vendors.” The policy mandated the establishment of vending committees that feature representatives from street vendor organizations, local government, police, and local communities to identify designated zones for vending and hawking. However, the national policy was not widely implemented because, in India, local governments are controlled by state governments, and only a few state governments followed the national policy.

In response, SEWA demanded a national law for street vendors. A draft law was formulated by the Ministry of Housing and Urban Poverty Alleviation in consultation with SEWA, NASVI and other street vendor organizations, and was approved by the Parliament of India in February 2014. The 2014 Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act mandates that “local vending committees should be set up in each local jurisdiction and that cities have to negotiate with these local vending committees to determine where best to locate and how best to regulate street vending in each locale.” These are called Town Vending Committees (TVCs).

Since its adoption, the Street Vendors Act has been implemented in only some states and cities of India and to varying degrees. Consider Gujarat state and Ahmedabad City. Since 2014, in Ahmedabad, many natural street vendor markets have been demolished or are under threat of demolition due to several large urban development schemes, including road widening, flyovers and a bus rapid transit system. In 2016, the government of Gujarat adopted a set of state rules regarding street vendors, allegedly modeled on the national law. However, the Gujarat rules differ from the national law in significant ways: notably, the Gujarat rules do not recognize the right of street vendors to operate in public space and do not mandate that street vendors be represented on the TVCs. To suggest modification of the rules, SEWA wrote a memorandum of understanding to the Urban Development Secretary, Government of Gujarat, who never responded.

The struggles of street vendors supported by SEWA to secure their right to vend – more specifically, their right to a secure vending site – have paved the way for subsequent struggles by other trade groups, by illustrating the power and effectiveness of mixing different strategies, ranging from street rallies to resolutions in Parliament to High Court and Supreme Court legal cases and judgments to national policies and laws. In brief, the strategies used by SEWA include an interactive, mutually reinforcing mix of building organization, solidarity and capacity among informal workers, building awareness and/or alliances with other stakeholders, engaging in advocacy and negotiations with key stakeholders, and resorting to legal action when negotiations break down. See Box 2 below for more details.

Bhadra Chowk: From Natural Market to Heritage Plaza to Heritage Natural Market

2001-2009: Plans to Convert the Bhadra Chowk into a Heritage Plaza

The idea of converting the Bhadra Chowk into a heritage plaza dates back at least to the mid-1970s, when a prominent local architect, B.V. Doshi, through his Vastu Shilpa Foundation, first submitted a proposal with architectural drawings for a Bhadra Plaza.

But his proposal was not taken forward until nearly three decades later. Meanwhile, Doshi was commissioned to restore several buildings in the area.

In 2001, in collaboration with the French government, the Ahmedabad Municipal Corporation set up an Ahmedabad Heritage Centre (AHC) (Desai 2019). But it was only in 2007 that the Gujarat state government issued Heritage Regulations for Ahmedabad City and set up a heritage committee to deliberate on the heritage of the city; this committee was eventually granted the authority to sanction any changes proposed to any heritage buildings. Soon thereafter, Doshi, his foundation and architects/planners from CEPT University began preparing architectural drawings for the Bhadra Plaza.

In 2008, in a report titled “Revitalization and Conservation of the Historic Core of the City”, the Ahmedabad Municipal Corporation, Vastu Shilpa Foundation (Doshi) and CEPT University identified Bhadra Chowk and Manek Chowk as areas of “immense heritage value” (DPR 2008: 5) and described Bhadra Chowk, which they referred to by its historic name Maidan-e-Shah, as “the main market place of the city” (Ibid.). In June 2009, the AMC approved the Bhadra Fort Conservation and Bhadra Plaza Revitalization projects, including a provision to reduce the number of street vendors in order to reduce congestion. The twin project proposals were forwarded to the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) for funding and to the Archaeological Survey of India for collaboration. An appraisal of the project was carried out by the government of India during the second half of 2009.

Meanwhile, the Ahmedabad Municipal Corporation continued to evict street vendors from several other areas of the city. In 2015, to protest these evictions, SEWA filed an application for contempt before the High Court of Gujarat on behalf of the street vendors of Manek Chowk and a further contempt before the Supreme Court of India. And then in September 2006, SEWA filed a Public Interest Litigation (PIL) in the High Court of Gujarat on behalf of its street vendor members, seeking to stop the violation of their rights.

Over the years, there have been short-lived evictions of the street vendors from the Bhadra Chowk area, mainly for causing traffic congestion, but the vendors always returned within two or three days. However, there had been no major eviction of Bhadra Chowk vendors, with barriers to prevent their return, until the architects, planners and government decided to convert the area into a heritage plaza. Seeing the street vendors as an obstruction, the architects, planners and government did not talk to the Bhadra Fort vendors or even inform them about their plans. Ela Bhatt, founder of SEWA, went to see the chief architect, B.V. Doshi. She asked him why they use the word “plaza” as the whole area is heritage: the temple, the fort, other monuments and the market. He listened and seemed sympathetic. But he never met with the vendors or SEWA.

2010-2011: Lead-Up to the Construction of the Bhadra Fort Heritage Plaza

In early January 2010, the JNNURM approved funding for the Bhadra Fort Conservation and Bhadra Plaza Revitalization projects and appointed the Vastu-Shilpa Foundation and CEPT University to oversee the project. Almost immediately, over 500 vendors were evicted from Bhadra Chowk without notice or reason given and without plans for their relocation. On January 10 and 28, SEWA wrote letters to the Municipal Commissioner requesting that the street vendors and their natural market be included

in the development plans for the plaza. Eleven days after they had been summarily evicted, the street vendors were allowed back into the area.

Meanwhile, SEWA had issued a Public Interest Litigation petition to the Ahmedabad Municipal Corporation to regulate street vendors according to the provisions of the national policy. In March 2010, the Ahmedabad Municipal Corporation announced a draft city-wide scheme to regulate street vendors, designed by faculty and students of CEPT University. The draft Street Vendor Scheme designated three zones of public space:

Red Zone – major roads where no street vendors would be allowed

Green Zone – other roads or areas where street vendors would be allowed at certain times: e.g. night markets

Amber Zone – 15 meter-wide roads where vendors would be allowed (but these are mainly in residential areas where parked cars and pedestrians leave limited space for vendors).

From April to July 2010, SEWA negotiated with the Ahmedabad Municipal Corporation to modify the scheme to reflect provisions of the 2004 National Policy on Street Vending, notably the protection-cum-regulation of natural markets and the establishment of TVCs. On August 27, 2010, the final street vendor scheme was announced. However, the scheme was never implemented – which turned out to be a good thing as the design of the scheme violated key provisions of the national policy and the 2014 national Street Vending Act, notably the composition of TVCs and their role in determining where and when vendors can sell on the streets.

During 2011, the Ahmedabad Municipal Corporation (AMC) worked with the Archaeological Survey of India and local architects to develop plans to renovate the Bhadra Fort and build a pedestrian esplanade from the old city to the Sabarmati River. The plan was set to convert the open area where the Bhadra Market had operated for decades into a heritage site called the Bhadra Fort Plaza.

As news of the city plans spread, the vendors in the area began to congregate to discuss the threat to their livelihoods: the threat to “our very life (*jaan*)”, as one vendor leader put it. Among the 570 some vendors, around 250-300 were SEWA members. SEWA encouraged their members to meet with other vendors and form a market association. As news spread that the vendors were demanding to be accommodated in the new heritage plaza, the numbers of vendors operating in the area increased. But membership in the market association was restricted to those who had been vending for the previous five years in the area and had actually been vending (i.e., had not deployed another person/s to vend on their behalf).

Many of the Bhadra Fort vendors, both men and especially women, had been members of SEWA for many years. Male vendors, and other male informal workers, are allowed to join SEWA as associate members. But it was the construction of the heritage plaza that forced them to come together to form a market association. The day the area was cordoned off for construction, many Bhadra vendors came running to the SEWA office. SEWA encouraged them to recruit other local vendors to form a market association. A third-generation male vendor, now a leader, was skeptical at first. But

after sitting in on several meetings at the SEWA, he became convinced of the need to form a market association.

Despite long-standing competition between vendors from different communities in Bhadra Chowk and the uncertainties and tensions surrounding the recent eviction, a Bhadra Chowk Heritage Natural Market Association and Executive Committee was formed in 2011 with the help of SEWA. The association includes the 372 street vendors in the Bhadra Chowk plaza project area. The executive committee comprises 6 men and 7 women, both Muslim and Hindu. To form the committee, SEWA divided the original market area into zones: each zone elected a representative to the committee. Both the association and the committee meet when the need arises, as often as three times a week when a court case is active. When the city decided to renovate its natural market into a heritage plaza, the committee decided to call the association the Bhadra Chowk Heritage Natural Market Association.

2012-2013: Street Vendor Eviction from Bhadra Plaza and Subsequent Negotiations

In January 2012, the vendors of Bhadra Market again were evicted without any official notice. The AMC relocated the vendors to Sadar Bagh (a garden) but few customers passed through or by the garden, making it difficult for the vendors to vend. After negotiating with the AMC, SEWA was able to have the vendors relocated outside the Rupali Theatre and the Irish Presbyterian Mission School. But local *bhais* contested the entrance of new vendors in those areas, demanding bribes (*hafta*) or rent (*bara*). SEWA negotiated with local government and police officials to allow the vendors to relocate around the cordoned-off plaza construction site until the heritage plaza was completed. When SEWA met with the Municipal Commissioner, he was very vague about whether the vendors would be granted space to vend in the restored plaza, stating: "Let the work begin, and the vendors will accommodate themselves." Within three to four months, all of the evicted vendors returned to the Bhadra Chowk area; they couldn't earn a livelihood in the relocation areas, as there was not a steady flow of pedestrians/customers through those areas.

Before the major Hindu festival Diwali in late 2012, SEWA negotiated with the AMC to establish a Ladies' Market for 50 or more women street vendors for the two weeks leading up to the festival. Until then, the women street vendors had found it difficult to find a space to relocate in the crowded area around the barricades erected in Bhadra Chowk. In part, this was because male vendors had greater physical strength as well as stronger ties with the local police to be able to secure a temporary space.

Meanwhile, in early 2012, after the barricade around the Bhadra Chowk area was erected, another organization of vendors was formed, led by two Congress Party-affiliated male vendors. The 370 or so members of this other organization, called the Self-Employed Labour Organization (SELO) are all men – mostly Muslims who sell ready-made clothing – who vend in a crowded area near Trun Darwaza, outside the Bhadra Chowk plaza project area. The area is overcrowded, as many of the vendors pay bribes to or rent spaces from local *bhai*. Later in 2012, SELO filed a case against the AMC survey of vendors which, it alleged, netted in non-vendors including rickshaw drivers. In contrast, SEWA's case against the AMC was based on the argument that the Bhadra Fort market is a heritage natural market which, according to the 2014 Street Vendor Act, should be protected.



Bhadra Fort and market, 2013.



Cordoned-off area for plaza development, 2013.

2014-2016: A Year of Reckoning

On February 8, 2014, the street vendor bill was debated and passed during the last session of Parliament under the government of Prime Minister Manmohan Singh. Ela Bhatt recalls how tense she and her SEWA colleagues became when the bill was not presented during the morning that day. After the lunch recess, there were two proposed bills left to be reviewed. The first was a politically charged bill about the separation of

the Telangana region from Andhra Pradesh state. The second was the street vendor bill which, thanks to the efforts of SEWA and NASVI, was debated right after the lunch recess. At 4 p.m., after a one-hour debate, a unanimous decision to approve the bill was taken. Ela Bhatt later recalled, “I could not believe the bill had passed.”

After the Street Vendor Act was passed, the SEWA team who had gone to Delhi to advocate for the bill served sweets to Members of Parliament and, later that night back in Ahmedabad, served sweets and danced at Ela-ben’s home. The next day, street vendors from across Ahmedabad City streamed into the SEWA office, where they strewed rose petals across the floor, played drums (*dol*) and danced the *garba* (a Gujarati folk dance). Manali Shah recalls that SEWA and the street vendors continued to celebrate for two weeks as “our hearts were so full”.

The Bhadra Market negotiations became a test case of whether the state and local governments would implement the provisions of the street vendor bill. SEWA’s negotiations with the AMC had gone quite well between 2012 and 2013, as the Commissioner and Deputy Commissioner were reasonable and accommodating. But in mid-2014, a new Commissioner was appointed who was not sympathetic towards the street vendors. However, the Assistant Municipal Commissioner remained sympathetic. As Shalini Trivedi of SEWA’s Legal Cell observed: “Governance depends less on the law and more on the mentality of those in power.”

When the AMC announced that it would develop the heritage plaza in phases, the vendors proposed to occupy parts of the area that were not under construction during any given phase. But, early on, the AMC erected a barricade (a green metal fence) around the entire area and announced that no vendors would be accommodated. In response, the Market Committee, with SEWA’s support, resumed negotiations with the AMC, initially asking that 50 and later 150 vendors be relocated. Meanwhile, the AMC carried out a survey of street vendors across the city and issued ID cards, without any designated vending spots, to the 80,000 or so vendors surveyed. The AMC promised that the 220 or so Bhadra Chowk vendors who were present in the area on the day of the survey would be accommodated in the Bhadra Fort Heritage Plaza area and that the other 150 or so Bhadra vendors (who were not present when the survey was conducted) would be relocated to the Sardar Garden, Trun Darwaza and other areas.

Then in November 2014, thanks to the ongoing negotiations by the Market Committee and SEWA, the Ahmedabad Municipal Corporation announced that it was going to allocate space for the vendors in Bhadra Plaza. Together, the Market Committee and SEWA organizers drew up a list of long-time vendors to whom spaces and ID cards would be allocated once the restoration work was completed. When the corporation threatened to back-track on this commitment, SEWA and the Market Committee again resumed negotiations.

But without any prior warning, at 11 a.m. on December 18, 2014, the AMC announced over a loudspeaker in Bhadra Chowk that there would be a “draw” within a few hours at the Town Hall to determine which vendors with verification papers (white papers issued during an earlier AMC survey of vendors plus pink slips with biometric IDs) would be relocated to which areas. Panic ensued. Vendors rushed to the SEWA office to ask what they should do. SEWA convened an emergency meeting of the market committee to

decide what should be done. They took a joint decision that allocating space to vendors through a “draw” made no sense, as vendors who sold lotus and other fresh flowers for religious rituals and worship needed to be near the temple, and vendors who were not original vendors in Bhadra Chowk should not be allowed to take place in the draw.

The market committee, with SEWA’s backing, decided to dissuade vendors from participating in the draw – or lottery – and to block vendors from entering the town hall. SELO members also decided not to participate in the draw. But a few vendors had already gone to the town hall for the draw. SEWA quickly deputed one of its office staff, unknown to the authorities, to go to the town hall armed with a camera to record what took place. The corporation proceeded with a sham drawing in a nearly empty hall and took an arbitrary, illogical and culturally-insensitive decision that shoe vendors could remain in the temple area near the fort and that vendors who sell coconut and flowers (used in rituals) would be relocated away from the temple. While only 20-30 vendors had participated in the fake draw, the next day the AMC posted a list indicating the areas where over 1,000 vendors were to be relocated.

The fake drawing broke the trust that had developed through two years of negotiations between the AMC, the Market Committee and SEWA. In consultation with SEWA, the Market Committee decided to undertake a Public Interest Litigation against the AMC. The SEWA legal team and the Market Committee worked through the night to draft a petition that SEWA filed in the High Courts the following day on behalf of the Market Association.

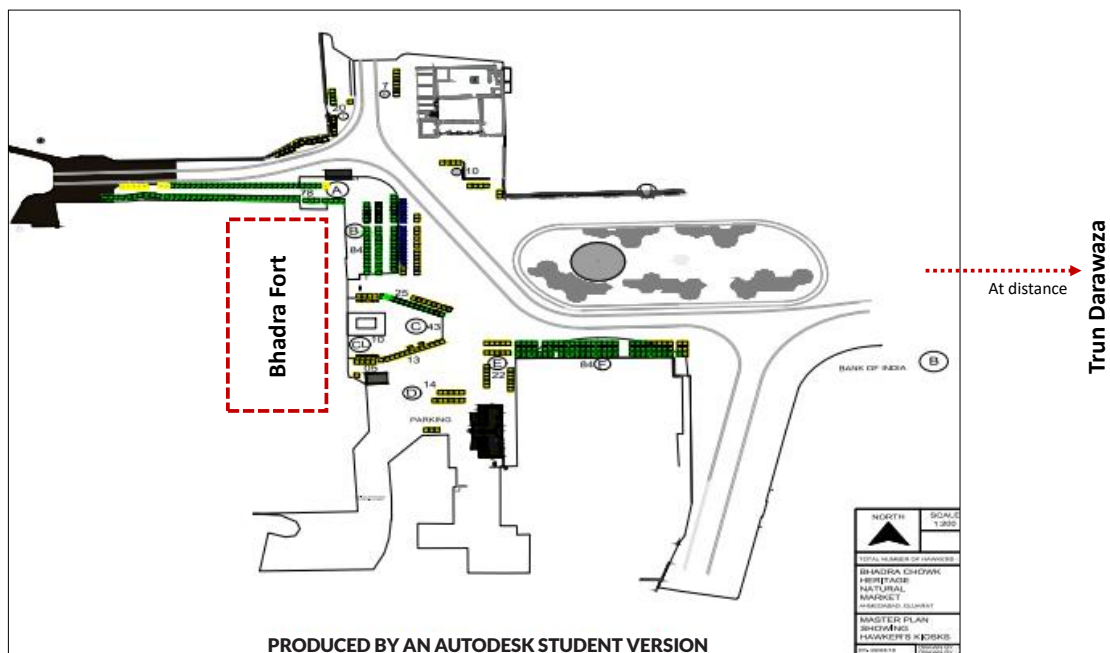
In this petition, the SEWA lawyers argued that the original Bhadra Chowk Market had evolved historically in an organic way and that all of the vendors in the area, not only those in the plaza project area, should be allowed to decide how to allocate spaces in the market in a way that respected the market’s unique characteristics and customer flows. On December 22, 2014, the High Court announced that the draw was “null and void” and ordered a stay “on any further action in pursuant to the draw conducted by the AMC”, with the stipulation that the Market Committee, SEWA and the AMC must reach agreement on the allocation of spaces. SEWA and the Market Committee resumed negotiations with the Municipal Commissioner, who agreed that the vendors could decide on the allocation and design of space.

In negotiating with the AMC, the SEWA legal team evoked the 2014 Street Vendor Act, specifically the right to vend and the concept of heritage natural markets (i.e., markets that had evolved naturally over years) which are recognized under the Act and from which, therefore, vendors should not be evicted. SEWA did not use or evoke the Gujarat rules which, in contradiction to the 2014 Street Vendors Act on which the rules were supposed to be based, stipulated that vendors cannot use public space. The goal of the PIL was to have the sham lottery conducted by the AMC dismissed and to let the vendors decide where they would vend.

2015-2017: Relocating Street Vendors in Bhadra Chowk Market

Relocating the street vendors in the Bhadra Chowk market was a long process involving verification of the genuine vendors to be relocated, developing a schematic plan with numbered spaces, marking the numbered spaces on the plaza floor and allocating numbered spaces to the vendors. At first, the AMC officials were skeptical

that the vendors could be enumerated and verified. But SEWA explained that the local vendor leaders know all the vendors and proposed forming local committees with representatives from the AMC, the police, the Market Association and SEWA to work together. During the process, there were tensions among the vendors, backlash from the local *bhais* who stood to lose control over the allocated spaces and periodic evictions by the AMC. The proposed schematic layout and allocation of sites was revised three times during the process. The final allocation is depicted in green in the map of the Bhadra Chowk area below.



Verification of Eligible Street Vendors – Before the construction of the Heritage Plaza began in early 2012, there were an estimated 576 vendors in the Bhadra Chowk natural market. After an initial verification, SEWA identified 503 genuine vendors, of which 400 were to be relocated within the heritage plaza market area and 131 just outside the project area. Then, the Market Committee met with SEWA organizers to review their list of vendors, which at that time numbered 400 but had to be reduced to 372, the number of vendors the AMC had finally agreed to accommodate. SEWA opened the meeting, as it does all its meetings, with the recitation and singing of SEWA’s ecumenical prayers, including a Muslim prayer and a prayer that reflects SEWA’s ecumenical values. After the prayers, when Manali-ben cautioned the Committee that the final list had to include only genuine original vendors, a Muslim male vendor responded saying, “I watched the genuine emotion (*bhav*) with which you recited the Muslim prayer. Therefore, in today’s meeting, we cannot make any false decisions or have any bad thoughts.” In that spirit, members of the Committee admitted to having entered some false names in the list of 400 vendors, eliminated the false entries and were able arrive at the 372 as the number of genuine vendors.

Demarcation of Vending Spaces – With planners from both the AMC and CEPT University, and with the Market Committee leaders, SEWA demarcated the spaces to accommodate these 372 vendors on a map, each to be allocated a 4’ x 4’ vending spot plus 1.5 feet for sitting. Ideally, between each row of vending sites there should be 4-5

feet for a pedestrian way, but space did not allow for this. The CEPT University studio also developed designs for foldable and moveable stalls.

By August 2016, spaces for 503 vendors had been allocated in and around the project area based on a design and list developed through a participatory process, with the vendors led by the Market Committee and SEWA: 372 in the plaza project area and another 131 in the adjacent area. The Ahmedabad Municipal Corporation approved the design as well as funding for tables and platforms for the vendors. After the schematic plan and final list of vendors was approved by the AMC, the spaces (4' by 5.5') had to be demarcated in the plaza project and adjacent areas in accordance with the agreed-upon layout. Working for three nights in a row, when the Bhadra Plaza area was empty, SEWA, the Market Committee and AMC officials painted, with yellow paint, and numbered each space.

Allocation of Vending Spaces – The allocation of vending spaces to the eligible vendors took time and was fraught with tensions, as vendors prefer to have centrally-located and front-line spaces to attract customers and the local *bhais* resisted losing control over much of the area.

Under the space-allocation plan, around 20-25 women vendors who sold goods used in temple worship – coconuts, flowers, accessories (*chuniya, haal, kamal*) for adorning images of the goddess Kali – were allocated space within an area that belongs to the temple. The temple priest (*purohit*) and trustees protested, arguing that they needed the space to distribute blessed food (*prasad*), to construct a sacred fire (*havan*) during festivals, and for 2-3 temple vendors to sell their goods. The AMC backed the temple priest and trustees. After a fair amount of negotiation, SEWA was able to secure vending spaces for six vendors in the temple area. These vendors are now able to vend peacefully in that area. When space around the Bhadra Temple was being allocated, one of the *bhais* and his brother threatened SEWA and the vendors. But an AMC inspector challenged them, asking, “Do you have allocated spaces in this area?” When that *bhai's* father died, Savita-ben went to meet him to offer condolences. Since then, he calls Savita-ben by name whenever he sees her.

Also, around 35 vendors who sell fruit or *toraan* (door ornaments) were allotted space in what is called the D area, between the temple and the court, next to the toilet block. These vendors complained that there was limited pedestrian flow through this zone and were eventually shifted to a more central area. When SEWA first assigned these vendors to the D area near the court, a Muslim vendor (brother of a member of the Market Committee) threatened the vendors being settled in that area and called the AMC “bouncers” to evict the women. The bouncers came and began to toss aside the goods of the vendors. Savita-ben, a SEWA organizer, tried to calm the Muslim vendor, who then left the area. Then, a member of the Market Committee warned Savita-ben and Geeta-ben that the Muslim vendor was returning to Bhadra Chowk with two rickshaws full of Muslim women to fight with the women street vendors. The SEWA-ben and the women vendors sought shelter in the Bhadra Fort. After a while, they decided to leave the fort and go to the SEWA office. To divert attention, while the others fled, Savita-ben walked off in the opposite direction, pretending to have lost her umbrella somewhere in the market.

When all of the SEWA-ben and women vendors reached the SEWA office and informed Manali-ben, she called the member of the Market Committee whose brother had

precipitated the incident: “We can’t work with you and your group, if your brother behaves in this way. We came to work with you and the other vendors, not to fight.” After a couple of hours, that committee member and his brother came to ask for forgiveness. Manali-ben convened the Market Committee and asked the brother to make a public apology to Geeta-ben, a member of the SEWA legal team who had been in tears over the fact that all of SEWA’s hard work in building trust had broken down. As Geeta-ben explained to him, “I thought of you as a brother.” For some time thereafter, Manali-ben made a point of accompanying Geeta-ben and Savita-ben when they went to Bhadra Chowk until she was sure that the trust had been restored. A few weeks later, the member of the committee whose brother was at fault approached Geeta-ben and Savita-ben to say: “You have not forgiven us. You have not taken tea from us.” To affirm their forgiveness, the SEWA-ben accepted tea from that committee member and his brother.

After the vendors were relocated into the Bhadra Chowk project area, some of the local *bhais* continued to threaten SEWA and the vendors. The women vendors replied, “We will die where we are, but we will not leave.” As Savita-ben summarized the process: “We have struggled a lot in Bhadra Chowk. Through the struggle, the vendors have developed confidence and trust with each other. I am confident that a final solution will be found.” As Geeta-ben added: “The AMC staff (*adhi-kari*) now understand the position of the vendors and that SEWA has no self-interest, speaks truthfully and makes sense. The AMC staff used to ignore us but now welcome us.” Some lower-level AMC functionaries have confided to Manali-ben: “We can’t speak to our superiors as you do. We have to address them as 'sir'.”

Two of the four *bhais* in Bhadra Chowk wield the most power. One has filed cases against SEWA and Manali-ben specifically. But he never speaks badly of SEWA in public, and the SEWA-ben make a point of greeting him as a friend. The other controls 25 vending spaces, which he rents for 500 rupees each per day. SEWA was prepared to allocate five of the spaces authorized under the court case to this *bhai* – but in the end no spaces were allocated to him, as all 25 spaces that he “controls” fall outside the spaces designated and allocated under the court case.

Meanwhile, the relocation negotiations led to an unanticipated positive outcome. Every year, the corporation hosts celebrations of the nine-day festival, called Navratri, in honor of Lakshmi, the goddess of wealth. As part of the festival in 2015, the corporation decided to hold an intercity folk-dance competition at the Bhadra Heritage Plaza and asked the vendors for space. SEWA agreed on the condition that women street vendors from Bhadra Chowk would be the first group of dancers featured in the competition, performing their own *garba* (a Gujarati folk dance). SEWA thought this would be a way to make a public statement that the plaza belonged to the vendors. The women street vendors, all members of SEWA, danced the first item in the dance competition, attended by the mayor and the municipal commissioner. Their dance was a big hit. The women vendors were awarded a prize and, more importantly, gained public recognition.

The relocation of the 503 vendors in the Bhadra Fort area, including the heritage plaza site, which began in 2016 was completed by early 2018. Although the legal memorandum of understanding between the market committee, SEWA, and the AMC had not been

signed, the stay order from the High Court prohibits the removal of the 503 vendors from the Bhadra Chowk area.³

2018-2019: Uneasy Truce

After many years of struggle and negotiation, SEWA was able to relocate 372 vendors within the Bhadra Plaza project area and another 131 outside the project gates, along the main road. All of the relocated vendors have two ID cards to verify their right to vend in their allocated space: one issued by the AMC, and another issued by SEWA, which includes the number of their allocated space. The market committee members patrol the area on a regular basis to be sure all the vendors in the plaza are genuine – have the two identity cards. It is clearly the case, as AMC officials attested, that no vendors would have been allocated space within the Bhadra Chowk without the intervention of SEWA. But the tensions between the municipal corporation, the police and the vendors persist.



Bhadra Chowk Heritage Natural Market, 2019.

For the first eight months after the vendors were relocated, the AMC appointed “bouncers” to patrol the area and evict “unauthorized” vendors. But subsequently, the AMC became more lenient and began to tolerate the “unauthorized” vendors who pay bribes. Periodically, when the AMC or the police commissioner apply pressure, the AMC eviction crew enforces the regulations, including no unauthorized vendors, no vertical displays, no umbrellas, and adequate space for pedestrians and vehicular traffic.

At one point in 2019, a Deputy Police Commissioner (DPC) imposed a one-month ban on vending, demanding that all vendors must have an ID card with photos. But the AMC

³ Meanwhile, the Self-Employed Labour Organization (SELO) negotiated with the AMC to earmark vending space for their members in the area around Trun Darwaza. They also made a schematic plan, verified their members and allotted vending space to certified vendors.

sent a letter to the DPC stating that the 372 vendors with designated spaces should be allowed to vend, but not the unauthorized vendors.

Tensions among the authorized vendors erupt time-to-time. On February 17, 2020, one of the male vendors came to Manali-ben with a complaint that a row of women vendors had been added in front of the row where his allotted space is. The aggrieved vendor's brother is a local leader (*agewan*) of the area and was present at the discussion. The two brothers were a study in contrast: the aggrieved brother looked worn and scrawny and had a temper. The *agewan* brother was dressed in a starched white shirt with a cell phone and earphones in his breast pocket. He was measured in his remarks. Another male committee leader was present. Manali-ben handled the grievance session with a steady hand, listening to the aggrieved vendor but also cutting him off when he didn't listen and cutting off his brother when he interrupted. She lectured the aggrieved brother on the history of the decision by the AMC to add a row of women vendors in front of each zone of designated vending spots (there are six such zones named A, B, C ...). The AMC took the decision to add a row of women vendors at the front of each designated zone because the police and local *bhais* are less likely to harass women, than men, vendors: a decision that SEWA endorsed.



Market vendors, 2019.

Ideally, as mandated by the 2014 Street Vendor Act, a tripartite Town Vending Committee of vendors, municipal officials and local residents should be set up in the Bhadra Chowk and other areas across Ahmedabad City. But neither the AMC nor the Urban Development Department have taken responsibility to set up TVCs. As Shalini Trivedi summarized the situation: “No one wants to take responsibility for vendors.” This leaves the responsibility for managing the market with the Market Committee and SEWA.

While SEWA facilitated the creation of the Market Committee and its negotiations with the AMC, SEWA insists that all decisions should be taken by the Market Committee, including

the listing of vendors and allocation of designated vending spaces. In the beginning, the male vendors did not trust SEWA, thinking that they would only fight for its women members. But, over time, SEWA gained the trust and cooperation of the men vendors, both Hindu and Muslim. The male vendors and leaders began to think and act collectively.

Manali-ben and Shalini Trivedi emphasized that “ownership” by the Market Committee members and leaders of the committee and decisions they take are an important goal that SEWA seeks to promote. For example, Madan-bhai was a long-standing leader in the Bhadra Chowk market area before the committee was formed in 2011. His leadership style was to assert control and act as a patron to the other vendors. When the allocation of spaces was first discussed, he wanted prime spaces for himself and his son. SEWA had to coach him to think and act differently. As Manali-ben explained: “The big shift comes when leaders move ‘from I/me to we’: this shift to thinking in terms of ‘we’ is a key aspect of ‘ownership.’”

In February 2020, when the Market Committee was preparing to register the association, four members of the committee met in the SEWA office to discuss next steps: Madan-bhai (older man who was an original leader of the market areas who sells women’s hair accessories), Ismail-bhai (who sells lemon juice/sherbet), Devi-ben (who sells Chinese-made clocks and religious items made) and Shobha-ben (who sells *thoran*/door decorations). They discussed who should be on the executive committee of the association: six women and five men. At the time, they were in the process of drafting a constitution that would state the purposes, functions, officers and structure of the association and also determine what the contribution or dues (*pharo*) will be. But before the constitution could be finalized and adopted by the association members, they needed to open a bank account to deposit the contributions/dues. They agreed that there will be four officers – President, Vice-President, Secretary and Treasurer – to be selected by consensus.



Devi-ben, president of the Bhadra Chowk Heritage Natural Market Committee, at her vending site in 2013.

Box 1: Historic Meeting of the Bhadra Chowk Heritage Natural Market Committee (Feb. 17, 2020)

The meeting was attended by the five male members of the Market Committee and four (of the six) female members of the committee and facilitated by Manali Shah of SEWA.

Benefits and Purpose for Registering as an Association

Manali-ben opened the meeting by asking the Committee members what would be the benefits of being legally registered. The members listed the following benefits:

- serving as a dispute resolution mechanism
- being able to apply for government benefits
- being able to speak with one voice
- promoting greater solidarity and collective voice

Manali-ben then came to the heart of the matter: “How long can SEWA support you? SEWA works with street vendors across Ahmedabad, but we are a small team. The Bhadra Chowk struggle has been a special case. You can now work together and become owners (*malik*) of your organization. You can now become owners of the Bhadra Chowk bazaar.”

In response, Devi-ben stated: “It is better if we can come to SEWA for any issues, big or small.” Her response led to an animated discussion among the members of the committee. The consensus conclusion was that the new association could still come to SEWA on big issues but would try to resolve small issues on its own. Manali-ben reaffirmed: “You, the vendors, should manage the bazaar – not the police, not the AMC, not SEWA. You, the vendors, should fight for the bazaar. All 372 of you should assume ownership of the market.”

Role and Function of the Association

This led to a discussion of the issue that the association will need to oversee and handle, including:

- cleanliness of the market
- dispute and conflict resolution
- solidarity of association members
- adherence to the collective vow not to take bribes from the police

One of the committee members added: “The market has a reputation as a good market for inexpensive goods, as an attraction to tourists – we need to ensure that the customers remain comfortable.”

Manali-ben then outlined the specific roles and responsibilities of the association leadership, including financial fiduciary responsibilities, an annual audit by a chartered accountant and the responsibility to record minutes of each meeting.

Manali-ben reminded the committee members that they needed to move quickly to register the association before the current High Court judge, who is supportive, retires in 1.5 months. But Geeta-ben cautioned that the flower vendors faced problems

in registering their association. Manali-ben commented that the regulations are designed for the formal economy, not the informal: notably, the association wants to register as a public trust to continue to negotiate with the AMC and other key stakeholders, not as a commercial entity, as per the registration rules.

Geeta-ben noted that the struggle has been long and hard because of the widely-held perception that street vendors are a nuisance, are dirty. During the struggle, she reminded the vendor leaders: “When we lost heart, you were there. And when you lost heart, we were there.” But she also cautioned the vendor leaders: “No one is a *raja* (king), we are all *sevak* (those who serve).”

Geeta-ben then read out the draft constitution for the Bhadra Chowk Heritage Natural Market Association. Manali-ben noted that the term “heritage” had been added in front of “natural market” in the 2014 Street Vendor Act: as what is considered heritage should not be limited to buildings but should also include markets. The provisions of the constitution include the following:

- 11-member executive committee: at least one from each area A to I, 6 women and 5 men
- no party politics – no political party affiliation of the association or its leaders
- no discrimination on the basis of religion, caste or gender
- members should:
 - receive training in finance
 - join SEWA Bank pension scheme
 - join SEWA’s health, property and life insurance, depending on needs

There was a discussion whether heirs of the current members should become associate members. It was decided that when a member dies, the association members would select an heir (18 years or older) to take the place of the deceased member.

Then, there was a discussion of the fund that needed to be created to run the association: to cover legal fees for court cases and other expenses and to provide welfare services, as needed, to members. It was agreed that the fund would be built through contributions by the members as follows:

- one-time entry fee: 10 rupees
- one-time membership fee: 2,000 rupees
- monthly maintenance fee: 200 rupees

It was agreed that the executive committee should meet every three months and be elected every three years. Because names of the officers were needed to register the association, the committee members present selected the following officers through consensus:

President (*pramukh*): Devi-ben

Secretary (*mantri*): Madan-bhai

Assistant Secretary: Shobha-ben

Treasurer (*koshaadhyaksh*): Surendra-bhai (known as Badi-bhai)

Throughout the meeting, the discussion kept returning to whether the Market Association would assume the responsibility for managing the market and for ongoing negotiations and future agreements with the AMC – rather than SEWA.

SEWA is committed to building organizations of informal workers which, over time, assume “ownership” of the work that needs to be done. As Manali-ben made clear during the meeting: “SEWA has to reduce its role and the association has to increase its role and profile.” She added: “SEWA has also learned a lot from you.” The committee members added: “We have been able to handle the ‘strong men’ – the *bhais* – because of you.” Manali-ben reminded them: “Each of you has power. But together, by being united (*ekta*), you have much more power.” The members added: “SEWA has empowered the women vendors.” One member noted: “When we couldn’t convince our members, the SEWA team could.” Manali-ben reassured the committee members: “SEWA won’t disappear. Geeta-ben knows each of you, your family members, your vending site number. And we will continue to be fully responsible for the court case.” In response, one member concurred: “If there are problems the association can’t handle; we will come to SEWA.” Manali-ben then reminded them of SEWA’s values, SEWA’s approach: “If I’m being insulted, I don’t take it personally. SEWA works in a non-violent (*ahimsa*) way.”

In a discussion with four vendor leaders after the historic meeting to plan the association, all agreed that their current working conditions are better than before the plans for the Bhadra Plaza were developed. Before, they were intimidated and always on the lookout for fear of being harassed or chased away and they were not always united. Savita-ben, the local SEWA *agewan*, summarized the victories of the struggle as follows: “The street vendors have SEWA on their side, fighting for and with them; they have an organization (*sangathan*) and unity (*ekta*); their workplace is better organized and legal; they have a recognized place to earn their living.”

However, the association leaders aspire to more:

- a secure right (*pukkha huq*) to their vending site – so they will no longer fear being evicted
- some form of shelter – a roof or umbrella (*chatra*) – from the rain and sun over their vending sites
- basic infrastructure services – sanitation, streetlights and water – at Bhadra Chowk Heritage Natural Market



Manali Shah of SEWA, Devi-ben, President of the Market Committee, and other market committee members discuss the allotment of designated spaces at the SEWA office in February 2020.

SEWA and the Market Committee also have plans to start a new participatory design process – this time to make the market area more aesthetically pleasing. The vendors have ideas for how special market stalls might be designed for different types of products.

For most of the leaders, the highlight of the struggle was the day there were allocated their own vending space. For Devi-ben and another woman leader, the highlight of the struggle was the first time they performed the *garba* dance at the city-organized Navratri

celebration in the Bhadra Plaza area in 2015. Since then, they have been invited to dance and awarded a prize at every annual Navratri celebration.



Vendors arrange their goods in spaces demarcated by yellow paint at the Bhadra Chowk Heritage Natural Market in February 2020.



Market vendors in February 2020.

But the vendor leaders, as well as SEWA, are conscious of the heavy mantle of responsibility that is being placed on their shoulders: to maintain the solidarity and trust of the association members against significant opposition. As Ela Bhatt later confirmed, the Bhadra Chowk Natural Heritage Market Association of vendors will have to be able

to deal with the AMC, the police, the anti-social elements and the general public, all of whom are anti-vendors. This will be particularly difficult, according to Ela Bhatt, as this is an era (*yug*) of “wasteful overconsumption and amorality”.

Little did anyone know that in just over one month after that historic meeting all of India would be under lockdown, including the Bhadra Chowk Heritage Natural Market – as the first wave of the COVID-19 virus began to spread across the country.

COVID-19 and the Street Vendors of Bhadra Chowk Heritage Natural Market

On March 26, 2020, after the first wave of the virus began spreading across India, the government of India imposed a strict national lockdown. During the lockdown, the restrictions on movement and transport were particularly hard on street vendors. In addition, they faced the closure of most street vendor markets as well as wholesale markets. Only one agricultural produce wholesale market on the outskirts of the city was allowed to remain open. Even after the lockdown began to be eased, beginning early June 2020, some wholesale markets and most street vendor markets remained closed. Street vendors were not allowed to operate in Ahmedabad until early September 2020. After long negotiations with the police and Ahmedabad Municipal Corporation, during which SEWA and the Market Committee assured the authorities that the street vendors would follow and take responsibility for public health protocols, the Bhadra Chowk Heritage Natural Market was allowed to reopen in October 2020.

During the lockdown, medicines, milk and vegetables were designated as “essential goods”. But the natural markets of street vendors were forced to close. Some individual street vendors, especially those who sell fresh vegetables, continued to operate but often were harassed by the police and stigmatized by the public as spreading the virus. The Ahmedabad Municipal Corporation partnered with SEWA on a Vegetable on Wheels project, whereby the corporation provided e-rickshaws and vans with drivers to take vegetable vendors along designated routes in the city to sell vegetables. But the public continued to stigmatize these vendors as spreading the virus.

Under the third phase of lifting or easing the lockdown, malls and movie theatres were allowed to reopen – but not the natural markets of street vendors. SEWA wrote a letter to the municipal commissioner to demand that the natural markets of street vendors be reopened, pointing out that SEWA and the vendors had developed public health guidelines to protect the public and each other, including social distancing, wearing masks and using sanitizers. Meanwhile, some street vendors braved the hostile environment in order to vend inside and outside the natural markets.

During the second wave of the virus in India, between March and June 2021, the national government did not impose a nationwide lockdown. Instead, state and local governments were allowed to impose a lockdown or other restrictions in their respective jurisdictions as they deemed necessary. The Government of Gujarat imposed nighttime curfews and, at different points in time, restricted a designated set of activities during daytime hours. And the Ahmedabad Municipal Corporation declared restrictions on all or certain commercial activities, as follows:

- March 20, 2021: The AMC declared that essential workers, including fruit and vegetable vendors, could operate but would have to obtain identity cards and be tested for the virus.
- April 28, 2021: The AMC ordered that all wholesale markets should remain closed except those selling fruit and vegetables.
- May 24, 2021: The AMC allowed pushcart and street vendors plus small shops to operate from 9 a.m. to 3 p.m.
- June 9, 2021: The AMC ruled that all commercial activities could operate from 9 a.m. to 7 p.m. (later extended to 9 p.m.).

By August 2021, a nightly curfew was still in effect in Ahmedabad from 11 p.m. to 6 a.m.

As Geeta Koshti, manager of Legal SEWA reported: “I can say that even though the business dynamics have changed after corona, the vendors were able to earn well during the festivals of Navratri and Diwali. They said that, ‘Not us, but our children were able to celebrate Diwali.’” During this time, these vendors were neither harassed by the police nor by the people from corporation. As Geetaben explained: “The officials and police understand that these vendors have not earned enough in the past two years. Diwali shopping gathers more crowds: hence, the police had given a whistle to the SEWA leaders and made them understand to blow the whistle whenever they see someone pick-pocketing or stealing mobile phones. This would scare away the thieves, who would think the police had arrived. For the leaders who were trained in this manner, this is a matter of pride.”

In sum, between March 2020 and December 2021, the Bhadra Chowk Heritage Natural Market was allowed to operate for only six months. Like other vendors in Ahmedabad and around the world, the vendors in the Bhadra Chowk Heritage Natural Market had to reduce consumption, draw down savings, borrow money, mortgage or sell assets in order to get by. Their fundamental hope – their basic demand – is to be always allowed to vend in the Bhadra Chowk Heritage Natural Market going forward.

The Struggle for Bhadra Chowk Heritage Natural Market: Key SEWA Strategies

As this case study illustrates, SEWA is engaged with its members in an ongoing struggle for more appropriate laws, regulations and policies in support of the members, working poor women in the informal economy. But SEWA knows that reform is not enough – new laws, regulations and policies that SEWA secures through struggle need to be enforced and implemented on an ongoing basis. As a result, SEWA and its members engage in constant efforts to ensure reforms are implemented, notably through collective bargaining and negotiations.

As this case study also illustrates, promoting reforms and ensuring they are implemented requires action on different, mutually reinforcing fronts: organizing, awareness building, capacity building, alliance building, advocacy, negotiations and legal action. And action on these different fronts is not linear or sequential but, rather, circular and interactive. Organizing enhances advocacy and legal struggles, as there is strength in numbers and credibility in the grounded knowledge of urban informal workers. But the struggle to

change laws, regulations and policies, so long as the informal workers themselves are involved, can also act as a catalyst for organizing and a means to gain representative voice, as in the case of the Bhadra Chowk Heritage Natural Market Association.

See Box 2 below on the key strategies of SEWA, together with the street vendors, in the struggle for the Bhadra Chowk Heritage Natural Market.

Box 2: SEWA Key Strategies

1 – Organizing on the basis of solidarity, women’s leadership and ownership

SEWA is a trade union of women informal workers, and mobilizing its members and organizing them into trade groups with elected leaders is its core strategy. Street vendors are a prominent trade group among its urban members.

To lead the campaign for (initially) a national policy and (then) a national law on street vending, SEWA recognized the importance of forming the National Alliance of Street Vendors in India (NASVI).

To lead the struggle for Bhadra Chowk Heritage Natural Market, SEWA recognized that its members needed to join hands with other vendors in the market to form a market committee and association representative of all the vendors in the market. SEWA also recognized that the market committee needed to develop a joint sense of ownership over the struggle for – and management of – the Bhadra Chowk Heritage Natural Market. Therefore, SEWA organizers have spent a good deal of time and effort building the trust, solidarity and capacity of the market committee members and leaders so that they can wean themselves over time from dependence on SEWA.

2 – Building the capacity of women informal workers, members and leaders

Building the capacity of women informal workers to be self-reliant, both individually and collectively, and to be active members and leaders is a core strategy of SEWA. SEWA provides on-going training to its members: first building their self-awareness of their role and contribution as workers and then building their capacity to pursue livelihoods and to become organized, be active engaged members of SEWA, take on leadership roles and effectively lead campaigns and negotiations.

3 – Raising awareness among the general public and policy makers in support of informal workers

Garnering support of the general public and policy makers through building awareness of the identity and contributions of street vendors is another key strategy of SEWA. This is done through the media but also other channels. In the struggle for Bhadra Chowk Heritage Natural Market, a key moment for building public awareness, among both the general public and local officials, was when SEWA negotiated that a group of women vendors would be allowed to dance in a festival held in Bhadra Chowk, and the group won an award in the dance competition.

4 – Creating an enabling policy and legal environment through advocacy

To provide an enabling normative and institutional framework for informal workers, SEWA recognizes the importance of influencing national policies and laws. Hence,

together with NASVI and other street vendor organizations, SEWA campaigned for a national policy, and then, a national law to regulate and protect street vending.

5 – Engaging in negotiations on an ongoing basis with local government, policy makers and other key stakeholders

On a daily ongoing basis, SEWA supports the market committee members – and other street vendor leaders – in negotiations with the municipal government and police regarding local policies and practices, including implementation of Town Vending Committees and other key provisions of the 2014 national law on street vending. Sometimes, SEWA collaborates with local bargaining partners – as it did with the Ahmedabad Municipal Corporation on the Vegetables on Wheels program during the pandemic.

Also on a frequent, if not daily basis, SEWA supports the Market Committee members and other street vendor leaders, in their engagement with other key stakeholders who have a vested interest in Bhadra Chowk, including the local *bhais* who continue to try to control space in Bhadra Chowk, the local temple trustees who control the land in front of the temple and the SELO organization of street vendors near the gate to the walled city. These engagements including standing up to, making amends with and forming alliances, as needed, with the other stakeholders.

6 – Building alliances of support for knowledge generation, technical assistance and advocacy

Early in the campaign for the national policy on street vending, NASVI and SEWA asked an academic ally at the Tata Institute of Social Studies in Mumbai to conduct a survey on street vending in six cities of India. The report of this survey generated a good deal of discussion and was presented at a national workshop organized by the Ministry of Urban Development, informing and providing impetus to the development of the national policy on street trade. During the planning and allocation of spaces in the Bhadra Chowk Heritage Natural Market, and for the design of display infrastructure, SEWA partnered with faculty and students of CEPT University, formerly the Centre for Environmental Planning and Technology, in Ahmedabad. For five years, SEWA also participated in a global knowledge generation, capacity-building and advocacy project on Inclusive Cities for Informal Workers with organizations of home-based workers, street vendors and waste pickers coordinated by the WIEGO Network.

7 – Taking legal action, when needed, through public interest litigation and other legal cases

When trust breaks down with the AMC or other bargaining partners, SEWA sometimes resorts to legal actions, filing Public Interest Litigation or other legal cases – as it did after the AMC staged the sham lottery for vending spaces in 2014. It is important to note that the SEWA Legal Team that instigated the litigation also advised the legal advocates during the litigation.

Bhadra Chowk Heritage Natural Market: The Future

The struggle by the street vendors of Bhadra Chowk illustrates the impact of historic conservation and of efforts to beautify the city on the traditional livelihoods of the urban informal workforce and raises the fundamental question: What - or who - constitutes heritage? In this case, why does an ancient fort built in 1411 constitute heritage and not a historic natural market? Why does the open area in front of the Bhadra Fort need to be restored to resemble an ancient park from the 15th century rather than the natural street market which has operated in that space for at least a century? Why do ancient buildings constitute heritage, and not traditional ways of life and traditional livelihoods? Why do buildings and spaces mean more to architects and planners than people, their homes, and their livelihoods?

The principle of heritage is at the core of the struggle by the vendors in Bhadra Chowk. SEWA has made the case that natural markets, not just buildings, should be considered as heritage. And not just the markets but the people, in some cases whole communities, who for generations have vended in one place. The 2014 Street Vendor Act states: “natural markets where street vendors have conducted business for over fifty years shall be declared as heritage markets, and the street vendors in such markets shall not be relocated” (viii). This principle is at the core of the petition filed by SEWA against the AMC. To prove that the Bhadra Chowk has served as a natural market for centuries, SEWA has pointed out that the taxi rand in the Chowk used to serve as a parking stand for horse-drawn carriages of the city’s elites, who would come to shop at the market.

Devi-ben, the newly selected president of the Market Association, raises the fundamental question: “Aren’t we heritage?” She belongs to a community of artisans who traditionally made clay images of the Hindu gods for religious festivals in their ancestral village in the western part of Ahmedabad City. The village was reduced to half its size when a city built a road through the other half. To make way for that road, Devi-ben and her family plus other families from the artisan village were relocated to public housing on the periphery of Ahmedabad.

Heritage, modernization and beautification – three forces driving urban renewal in Ahmedabad and in cities around the world – are each about preserving, safeguarding and promoting something of value. The central question is “whose values?” Whose heritage? Whose notion of modern and traditional? Whose aesthetic? As the struggle over the use of Bhadra Chowk illustrates, the state as well as the elite and powerful tend to legitimize and protect their own interests – to project and protect what they value – and to exclude – or simply ignore – other stakeholders and their values. In other words, the notion of values and heritage can be used to validate some stakeholders and invalidate others.

The Duke of Holstein in 1638 described the weekly market that operated in the Maidan-Shah and how the space and the market were intrinsically linked to the surrounding monuments, the Bhadra Fort and the Trun Darwaza. The 2014 Street Vendor Act of India makes the case that natural markets of street vendors have historic value and that street vendors should be allowed to continue to vend in them. In other contexts, heritage conservationists have argued that “bazaars” are places of historic, cultural, and aesthetic value – so why not in the case of the Bhadra Chowk market?

Additionally, and more fundamentally, SEWA and the street vendors of Bhadra Chowk are making the case that street vending and other traditional livelihoods are also cultural heritage, albeit less tangible. Just like traditional craftsmanship is widely considered cultural heritage, why not traditional forms of trade and other services? Livelihood activities are intrinsic to the lives of people, especially the working poor. As one street vendor cited in this case study put it: destruction of livelihoods is destruction of lives. Also, many traditional livelihoods are passed down or inherited from generation to generation for centuries: as street vending has been among the Patni Vagri caste in India.⁴ Devi-ben, the President of the Bhadra Fort Heritage Market Committee, summed up the street vendors' case with this simple, but profound, question: "Aren't we heritage?"

At a 1999 conference "Whose Heritage? The Impact of Cultural Diversity on Britain's Living Heritage" held in Manchester, England, the sociologist and cultural theorist Stuart Hall was asked to give the keynote address. His address – "Un-settling 'the heritage', re-imagining the post-nation: Whose heritage?" – helped to fundamentally reshape the field of heritage studies. He famously pronounced that "Those who do not see themselves reflected in national heritage are excluded from it."

The hope is that Devi-ben and her fellow street vendors will be seen as local heritage and included in the Bhadra Chowk Heritage Natural Market going forward.

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⁴ Maya Potter, the granddaughter of Ela Bhatt, is writing a piece called "Is street vending heritage?" for her master's degree. For this conclusion, we drew on her comments on a draft of this case study.

Appendix

In Ahmedabad, as in cities across India, street vending is governed by various laws and acts, as follows, but also by the provisions of the Constitution of India. Although the Constitution upholds the right to vend on streets, all of the legislation views street vendors as a problem, nuisance or obstruction to be controlled or removed:

- *Bombay Provincial Municipal Corporation Act, 1949*
- *Indian Penal Code, 1860*
- *Bombay Police Act, 1951*
- *Motor Vehicle Act, 1988*
- *Criminal Procedure Code, 1973*
- *Gujarat Town Planning and Urban Development Act, 1978*
- *The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014*

Constitution

The *Constitution of India* is the social document to which all the legislation in the country, at the national or local level, is supposed to confer. The majority of its provisions are aimed at promoting equality, justice, fraternity and liberty by establishing favourable conditions for achieving these fundamental rights. The Constitution has two important sections: Fundamental Rights (Part III) and Directive Principles of State Policy (Part IV).

The important Fundamental Rights which are non-negotiable and have been used for litigation in matters related to the rights of the street vendors are listed below:

Article 14: Equality before law

Article 19 (1) (g): Protection of certain rights regarding freedom to practice any profession, or to carry on any occupation, trade or business

Article 21: Protection of life and personal liberty

Article 32: Remedies for enforcement of rights conferred by this Part

Article 226: Power of High Courts to issue certain writs

The Directive Principles of State Policy are important in policy development and also influence judgements of the High Courts (state level) and Supreme Courts (national level). The important provisions for street vendors are:

Article 37: Application of the principles contained in this Part

Article 38: State to secure a social order for the promotion of welfare of the people

Article 39: Certain principles of policy to be followed by the State

Article 41: Right to work, to education and to public assistance in certain cases

State Legislation

The Bombay Provincial Municipal Corporation Act, 1949

Ahmedabad Municipal Corporation regulates street trade in Ahmedabad under the provisions of *Bombay Provincial Municipal Corporation Act, 1949* (BPMC Act). The relevant sections of the BPMC Act for street vendors are summarized below:

- s.209. Power to acquire premises for improvement of public streets**
- s.226. Prohibition of projections upon streets**
- s.229. Prohibition of structure or fixtures which cause obstruction in streets**
- s.231. Commissioner may, without notice, remove anything erected, deposited or hawked or exposed for sale in contravention of Act**
- s.234. Commissioner may permit booths, etc. to be erected on streets on festivals.**
- s.328. Provision of new municipal markets and slaughter-houses**
- s.330. Prohibition of sale of commodities sold in municipal markets - within a distance of fifty yards from a municipal market.**
- s.331. Opening of private markets and of private slaughter-houses**
- s.378. Private markets not to be kept open without license**
- s.377. Prohibition of sale in municipal markets without license of Commissioner**
- s.379. Prohibition of sale in unauthorized private markets**
- s.384. Licenses for sale in public places** - this provision is supplemented by the Bombay Shops and Establishments Act, 1948, which may prescribe the timings of any trade. Any person contravening the provisions shall be liable to have his goods seized
- s.431. Complaint concerning nuisances**
- s. 466. Making of standing orders by Commissioner** - covers the operations of a market to prevent a nuisance, fix trading times, prevent closure, of shops and stalls, maintain cleanliness, require provision of ventilation and water, and ensure circulation space. Under the ss.431 and 466 of the Act, any person living in the city can register complaints about a nuisance in the city, and the Commissioner has the powers to prevent such nuisance.

Indian Penal Code, 1860, Bombay Police Act, 1951, Motor Vehicle Act, 1988 and Criminal Procedure Code, 1973

Four legal instruments regulate streets and maintain public order, as follows:

The Indian Penal Code, 1860

- s.283. Danger or obstruction in public way or line of navigation** - allows a fine for anyone who causes danger, obstruction or injury in a public way.

Bombay Police Act, 1951

Hawkers and street vendors are issued warrants, arrested or evicted mainly under s.67 and s.102 of the *Bombay Police Act, 1951*, which stipulate that anyone preventing smooth flow of traffic can be arrested and removed.

According to the laws even a senior police officer cannot permit anyone to carry out vending on the streets.

s.67. Police to regulate traffic, etc., in streets – to prevent obstruction or overcrowding

s.102. Causing any obstruction in a street – by leaving a vehicle on the street for a long time, leaving a box, bale, or package on the street, or by setting up a stall, booth on the street

Motor Vehicle Act, 1988

s.201. Penalty for causing obstruction to free flow of traffic – designed to prohibit motorized vehicles from obstructing traffic but can also be applied to non-motorized vehicles such carts (*laris*)

Criminal Procedure Code, 1973

Section 151. Arrest to prevent the commission of cognizable offences - allows a police officer to arrest anyone about to commit any cognizable offence without orders from a Magistrate and without a warrant; however, the person cannot be detained in the police custody for more than 24 hours from the time of his/ her arrest.

Gujarat Town Planning and Urban Development Act, 1976

In Gujarat, the development of urban areas, and preparation of Development Plans (DP) and Town Planning Schemes (TPS), are determined by the *Gujarat Town Planning and Urban Development Act, 1976* (GTPUD Act).

Town Planning Scheme - tool for land pooling and readjustment, through which, the planning authority can take a portion of private land for the purposes of providing infrastructure services, of commercial sale to raise funds for the infrastructure development or of reserving lands for public goods such as social facilities and housing for the urban poor.

s.12 of the Act describes the contents of the Draft Development Plan and the manner in which the area covered under it should be regulated. It specifies reservation of land for public purposes such as schools colleges, medical and health institutes, cultural institutes, community facilities, but does not mention the space requirement for the street vendors.

s.35 of the act vendors can be penalized if they carry out business in any area without permission,

s.36 and s.37 of the Act permit removal of unauthorized temporary development by the Commissioner of Police and the District Magistrate.

s.40 - provides for the reservation of land within a town planning scheme (TPS) for the purposes of roads, open spaces, gardens, recreational

activities etc. but does not specify street vendor markets should also be considered as an integral part of the society.

s.41 of the Act provides for declaration of the intention to make a TPS by the Chief Town Planner, and publication of such intention. Under s.42 of the Act, within nine months of the dispatch of the proposed plan to the State government a draft TPS for the plan area has to be published in the Official Gazette along with the draft regulations for implementation. Notwithstanding anything in ss.41 and 42, under s.43 the State government can require any authority functioning within the development area to make a draft TPS and submit it to the state government for sanction.

ss.45 and 46 provide for particulars of the draft TPS. s.46 makes provision for land subject to disputed ownership to be including in a draft TPS. s.47 allows any person affected by the TPS to submit his/her objections to the appropriate authority, which is required to consider the objections before submitting the TPS to the government.



About WIEGO

Women in Informal Employment: Globalizing and Organizing (WIEGO) is a global network focused on empowering the working poor, especially women, in the informal economy to secure their livelihoods. We believe all workers should have equal economic opportunities, rights, protection and voice. WIEGO promotes change by improving statistics and expanding knowledge on the informal economy, building networks and capacity among informal worker organizations and, jointly with the networks and organizations, influencing local, national and international policies. Visit www.wiego.org.



About SEWA

Founded by Ela Bhatt in 1972, the Self-Employed Women's Association (SEWA) works to empower poor women in India's informal economy by equipping them with both the personal confidence and practical tools necessary to fulfil their needs and exercise their rights. With over 2 million active members across seventeen states, SEWA is one of India's largest and oldest trade unions and nonprofit organizations. At the national level, SEWA is coordinated by SEWA Bharat.