

Seeking Justice for the Informal Sector During the COVID-19 Lockdown

An analysis of government policy
for informal sector workers during
the nationwide lockdown

May 2020



**Indo-Global
Social Service Society**
Celebrating the Spirit of Humanity

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We acknowledge individuals, friends and civil society organisations who helped us in drafting the national /state assessment of circular orders of the first phase of lockdown and the sectoral assessment of state circulars on homeless, construction workers, street vendors, domestic workers, waste pickers. The assessment of the circulars is a centralised documentation of what centre and state is offering to the informal groups. We would like to thank those who responded to our queries, provided policy recommendation and special mention to Ameena, Devi, Jourubhai Sarniya, Mamta, Mohd. Miraj, Nasim, Rahees , Rajkumar, Ramu bhai, Shaheen, Vijay - who took out time from their busy daily schedule and in midst of all the struggles they have been living through, and told us their narratives in times of pandemic.

In solidarity

Urban Poverty Reduction Thematic

IGSSS



Acronyms

AAY- Antyodaya Anna Yojana
AUTD - Association for Urban and Tribal Development
BOCW- Building and Other Constructions Workers
BPL- Below Poverty Line
CITU- Centre of Indian Trade Unions
COVID- 19- Coronavirus Disease 2019
CPR- Centre for Policy Research
CSOs- Civil Society Organisations
CW- Construction Workers
DBT- Direct Bank Transfers
DM- District Magistrate
DW- Domestic Workers
FM- Finance Minister
HLRN- Housing and Land Rights Network
ICDS- Integrated Child Development Services
ICMR- Indian Council of Medical Research
IGSSS- Indo Global Social Service Society
ILO- International Labour Organization
INR- Indian Rupee
JJ- Jhuggi Jhopari
MDM- Mid Day Meal
MHA- Ministry of Home Affairs
MoFin- Ministry of Finance
MoHUA- Ministry of Housing and Urban Affairs
MoL&E- Ministry of labour and Employment
MoSJE- Ministry of Social Justice and Empowerment
MoHFW- Ministry of Health and Family Welfare
MoRTH- Ministry of Road Transport and Highways
DWCD- Department of Women and Child Development
NCPCR- National Commission for Protection of Child Rights
NDMA- National Disaster Management Authority
NDWM- National Domestic Workers' Movement
NFSA- National Food Safety Act
NGOs- Non - Governmental Organisation
NHF- National Hawker Federation
NITI- National Institution for Transforming India

NULM- National Urban Livelihood Mission
NULM (SUH)- National Urban Livelihood Mission- Shelter for Urban Homeless
PAN- Permanent Account Number
PDS- Public Distribution Systems
PHH- Priority Household
PPE- Personal Protective Equipment
PM- Prime Minister
PwD- People with Disabilities
RWA- Residential Welfare Association
SC- Supreme Court
SHG- Self Help Groups
SOPs- Standard Operating Procedures
SV- Street Vendors
SWM- Solid Waste Management
TG- Transgender Community
TVC- Town Vending Committee
ULB- Urban Local Bodies
UT- Union Territory
WP- Waste pickers
WIEGO- Women in Informal Employment: Globalising and Organising

Introduction

The nationwide lockdown was announced from midnight of 24th March 2020. It was proposed as the only step to protect India from the increasing COVID - 19 cases. The COVID - 19 crisis and the lockdown has been tremendously detrimental for business and economy. However while the government recognised the formal sectors of the economy, the urban poor – working classes were left in a lurch.

With more than 90% of India's workforce in the informal sector, this accounts for more than 40% of the economy, now pushed into a crisis. Informal sector workers numbering almost 400 million could have been impacted with lost wages and employments. The more marginal groups within the informal sector workers, who are undocumented, unorganised and leading a hand to mouth existence were the hardest hit. With very limited economic activity allowed, thousands of workers were holed up in cramped informal settlements where social distancing is a fantasy and running water a luxury. The announcement, just four hours before the lockdown was due to start, caused an exodus among the working poor. Thousands fled on foot to their villages, often hundreds of kilometres away, leading to the death of at least 20 people. Apart from the healthcare crisis we faced, a hunger crisis developed within days in the first phase of lockdown.

The exodus of migrants leaving the cities for their family, food and safety captured mass media attention and elicited a slew of responses from the State. Some immediate, like the provision of food and shelters and some like a stimulus package aimed at the longer term. In the subsequent weeks, numerous guidelines and orders on a daily basis were being announced. Too fast sometimes, to decipher and comprehend. It is in these numerous orders and guidelines, aimed at providing relief and support to urban deprived – workers groups that came from state and central governments, that our interests lay.

While India goes into the third phase of the lockdown due to the spread of the COVID - 19, stories and images of the extreme hardships faced by migrant labourers and millions of informal sector workers during the first phase of the nationwide lockdown, should not be left as a relic of the past, with minimal accountability for an immense suffering endured. Daily wage labourers, street vendors, domestic workers, construction workers and other groups such as these were subjected to a complete loss of their livelihoods, a reality which governments at every level should have been well aware of and prepared for better, whilst addressing the health crisis.

Existing Studies and Analyses

Since the lockdown there has been much written on the impact of urban poor – workers and can be categorised into three kinds. Firstly, rapid assessments that were completed in the initial phase of the lockdown or even before it was officially declared. An example is a study led by YUVA in Mumbai, where it reached out to low-income and vulnerable communities to understand the situation, its impacts and offer support. Situational analysis records the direct experiences of staff as they assessed the situation in 20 settlements across 4 cities in the Greater Mumbai area where we work – Vasai Virar, Mumbai, Navi Mumbai and Panvel. Through this initiative the report says – “we have been able to understand people’s level of awareness of COVID-19, and their current economic situation in the face of measures taken to contain the virus.”¹ A similar effort titled ‘A Crisis of Hunger’ by CPR – released just a few days after the multiple cases of overcrowding and struggles visible in homeless shelters of Delhi broke out on screen.² This report, using ground narratives, drawing on conversations with civil society organisations with established networks on the ground, highlights lacunae in Delhi government’s recently announced relief measures, and point to possible solutions. This was within the first week of lockdown. Thereafter, a more quantitative study came in the first week of April, where a rapid assessment survey of the impact of COVID-19 on migrant workers was carried out by Jan Sahas. It revealed shocking figures that hinted at the dire circumstances of the present and near futures of migrant workers.³ Revealing interesting figures on how state measures and safety net promised by the state was hardly of any succour to the migrants. The study goes on to give useful recommendations. Similarly, in the second phase of the lockdown, another assessment on migrant workers stuck in distress was conducted by SWAN network. Using telephonic conversations revealed the needs and situations in different states.⁴ The report was aimed at “amplifying their (informal workers’) experiences of the lockdown, and make the urgent case for universalising rations to all, cash provision of Rs 7,000 per stranded worker for at least 2 months, and increase feeding centres, among several other immediate measures”

It is in this context that this assessment is undertaken. Whilst keeping the focus on urban deprived communities, this assessment attempts to analyse the government orders and guidelines with respect to the different marginalised urban sections and informal sector workers and analyse its coverage and efficacy with real narratives from the ground.

1 Rapid situation analysis of the state of the urban poor in Greater Mumbai during the COVID-19 pandemic, March 2020, YUVA Online Web
2 Parulkar, Ashwin and Naik, Mukta, March 2020, A Crisis of Hunger: a ground report on the repercussions of COVID-19 related lockdown on Delhi’s vulnerable populations; CPR Publications

3 COVID - 19- voices from the margins, April 2020, India Development Review; Press; <https://idronline.org/covid-19-voices-from-the-margins/>

4 Lockdown and Migrant Work Distress in India, April 2020; Stranded Workers Action Network; Web <https://watson.brown.edu/southasia/news/2020/lockdown-and-migrant-work-distress-india-report-stranded-workers-action-network>

Chapterisation

The entire study is divided into 6 sections, 5 of which are based on specific informal sector worker groups. The first section focusses on a national view of the post-lockdown relief measure orders, providing a detailed timeline of relevant events. It also analyses and delineates from which Ministry or government department/authority the relief orders came and provides an in-depth nationwide chronicle of the lockdown, the informal migrant worker crisis and responses of different government departments.

The next 5 sections are sector specific reports, focusing on state government orders with regards to 5 specified informal sector groups namely, construction workers, street vendors, waste-pickers, domestic workers and homeless persons (in that order). This compendium of the state government orders has been classified into different avenues of assistance that are discussed in the methodology section. The orders have been colour coded as Red (no relevant announcements), Yellow (general relief measures announced which may or may not help the population group in question) and Green (relief measures announced expressly for the population group in question). Each sectoral assessment sheet is then suffixed with policy recommendations, which are categorised as short, medium and long term. These policy recommendations have been designed by ground level experts, civil society members, consultations of earlier reports and from experiences of the informal sector workers themselves.

Objectives of the study

While the effects of the lockdown on the formalised economy have been well documented, the effect on informal sector workers is more difficult to ascertain. This report aims to highlight the government orders aimed specifically at providing relief measures to informal sector workers during the lockdown. Following are the objectives behind preparing this report

- To assess the government orders and safety nets announced for the most marginal, unorganised informal sector workers
- To get ground up narratives on the implementation of the relief measures and the gaps therein
- To arrive at a carefully analysed evaluation of the different states' response to the COVID - 19 lockdown and the immense hardships faced by the informal sector workers
- To provide, through this report, help to CSOs and communities to engage better with policies and suggest ideas to improve the nation's response to COVID - 19.

Methodology

In this report we have collected data on all government advisories, circulars and orders related to the relief measures announced for the urban informal sector workers during the lockdown due to the spread of COVID-19. Since there is no official government mandated and maintained website that provides a compiled list of all the relevant government orders from every department since the beginning of the lockdown we had to depend on other external private websites and news articles which did the same.

A national framework has been prepared, taking into account Union Government orders along with the orders of 28 states and one UT (Delhi). This national framework was arranged on the basis of the orders that target specific informal sector groups. The informal sector groups are construction workers, street vendors, waste-pickers, domestic workers and homeless persons. After compiling government orders on the basis of the informal sector worker groups they target, the orders were then further classified into sub-categories of relief measures such as food provisions, social security measures, opportunities for livelihood, cash transfers, financial grants and other general measures including relief measures aimed at anganwadi workers, children etc.

This state wise and national information was then used to corroborate ground realities via interviews of sector experts working at the ground level, along with members of the affected population group through the random sampling method across all geographic regions of the country. There is a combination of primary (Government circulars and affected community testimonies) and secondary data (opinions and experiences of sector experts on the ground) being used in this report. Sector wise policy recommendations are then provided for each sector, based on informal sector experts, earlier studies and recommendations from the workers themselves.

Scope and Limitations

The coverage of the state government orders extends to all 28 states and one UT- New Delhi. Since this report is only focusing on the first and second phase of the nationwide lockdown, the time frame primarily being looked at begins at the 10th of March until the 1st May 2020. There were more than 175 orders at the Central level and 500 orders at different State levels that we could study for this report. However since the first case of COVID-19 in India was seen in the month of January we shall also take into account any precautionary measures announced before the aforementioned timeframe, that may be relevant to relief measures for informal sector workers. The ground level narratives section of each sector is limited to a few states, differing on every sector, due to the limited geographic spread of our information sources. It is also important to note that there are crucial governmental interventions happening at the local levels through the advocacy of many, which we will have missed due to the limited scope of the informal sectors we are covering in this study.

This report has many limitations which are important to highlight.

- Orders from Urban Local Bodies such as municipalities or other local authorities are not considered
- The sectors have been limited to street vendors, construction workers, waste-pickers, homeless and domestic workers according to the authors' expertise and does not represent all informal workers
- The assessment was completed in a very short timeframe, so there might be discrepancies in the collection of government data
- The intersectionality and overlapping of informal sector groups has been explored in this report but in a limited way
- The orders which have been classified in the yellow (partial) category in the sectoral assessment sheets signify an assumption that the announcement of such universal relief measures may or may not benefit the particular informal worker population group. Since there is a chance that they may benefit, it is different from no relief being announced.
- Only matters related to food provisions, social security measures, opportunities for livelihood, cash transfers and financial grants through loans, relevant to the livelihoods and lives of the informal sector worker groups, have been examined leaving out specific COVID-19 related health measures taken by various state governments whether it be free testing, health checkups or provision of medicines as protection from the pandemic.
- Interviews are based on the authors' network contacts and are not representative of the diversity neither of the sector nor of all the opinions within the sector. Ground reporting might be limited to the particular city contacted and might differ from other cities in the same state.

As mentioned before this report is expected to be one in a series of studies and assessment that will follow the unprecedented crisis we are seeing unfolding in front of us. We hope this effort is found useful by the different civil society organisations, worker collectives and also the different arms of Government, who are all working tirelessly in these times.





National Level Analysis - Union Government Relief Measures:

An analysis of the central government orders providing relief to informal sector workers during the Covid 19 lockdown

Covid lockdown rel

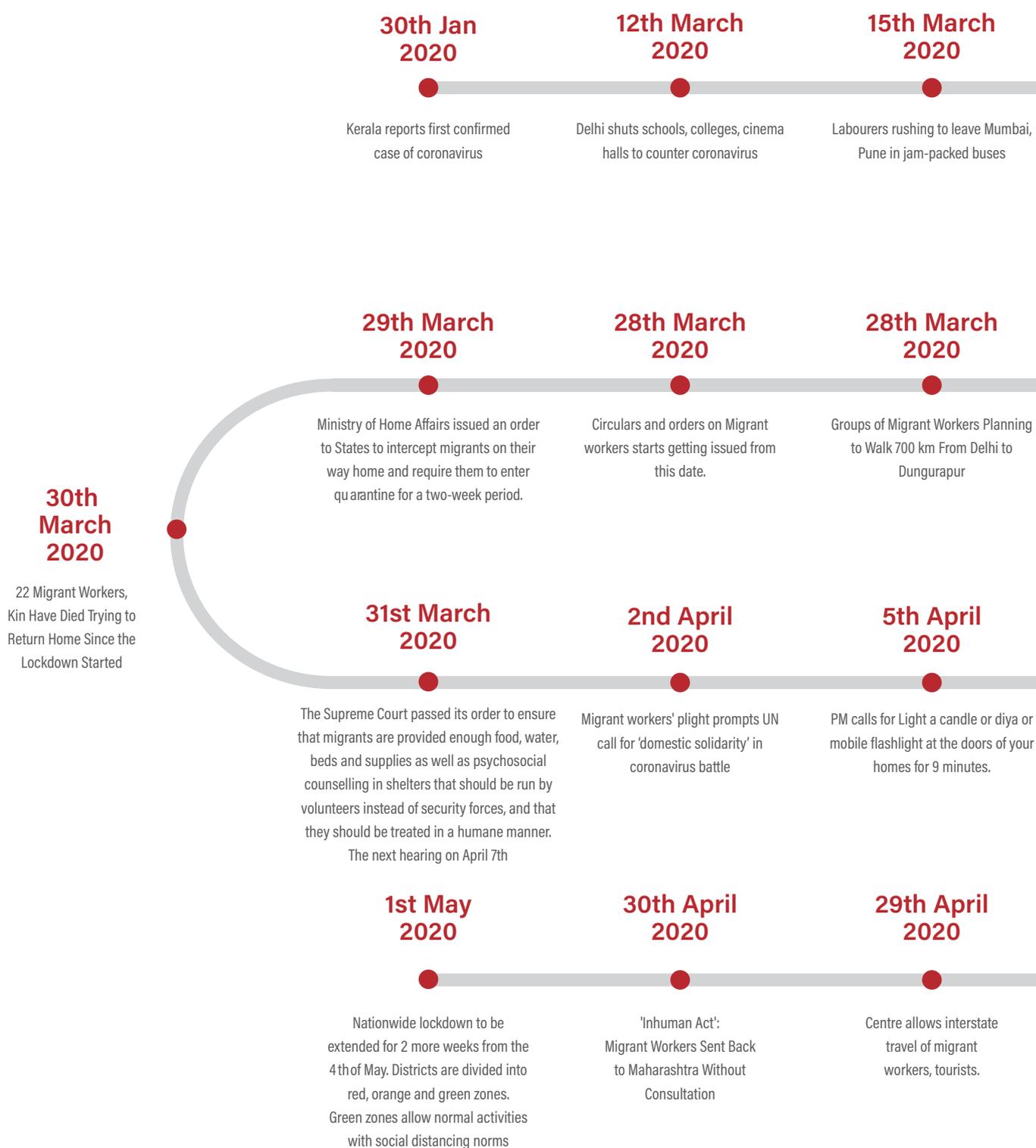
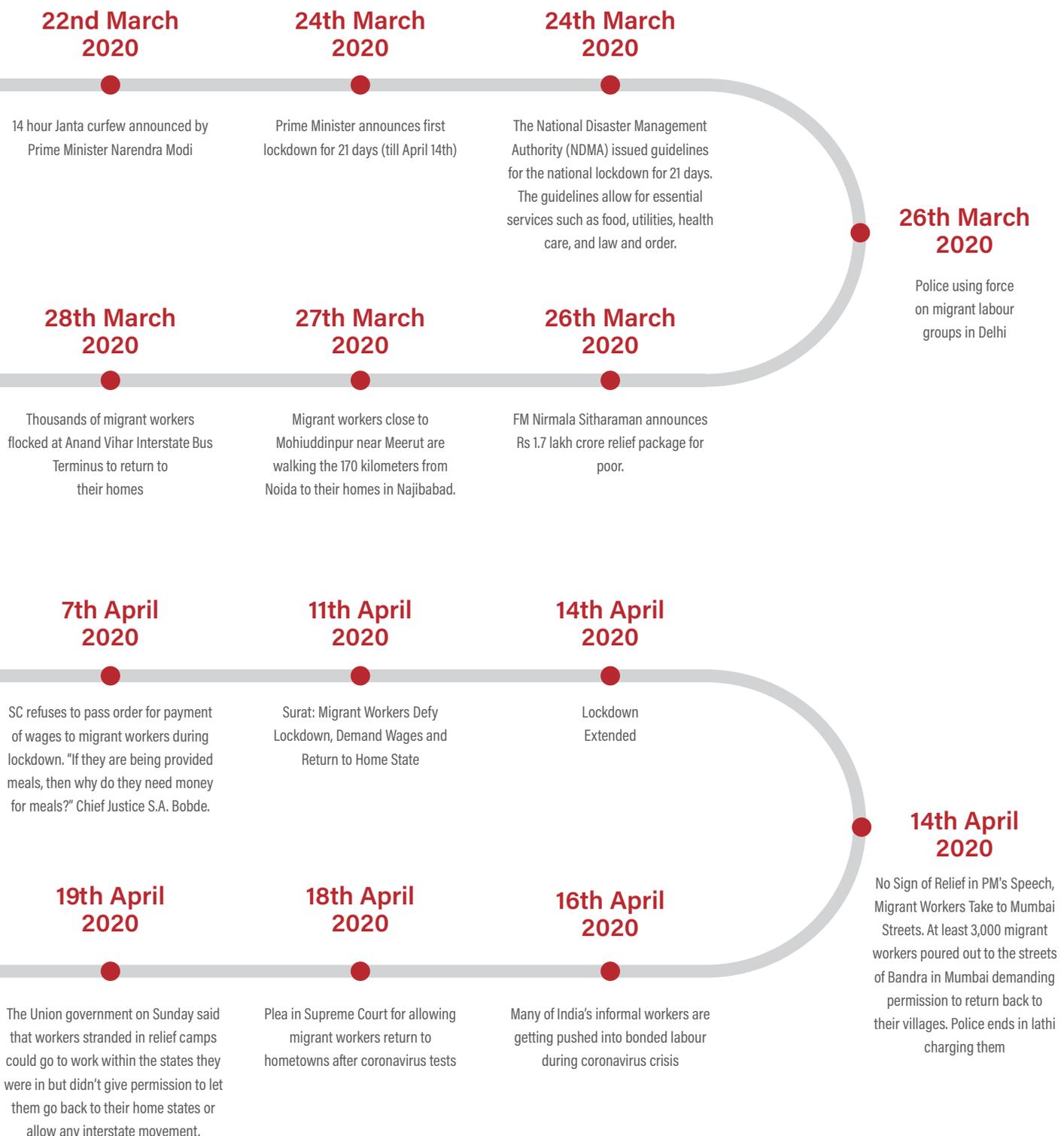


Table 1 - Br

ated developments



rief Timeline

Policy measures announced from the Central and State Governments

	Migrant laborers/Daily wage Laborers	Homeless	Construction Workers	Domestic Workers	Waste Pickers	Street Vendors	Transgender
National	Yes	Yes	Yes	No	No	Yes	Yes
States							
Andhra Pradesh	Partially	Yes	No	No	No	No	No
Arunachal Pradesh	Yes	Yes	Yes	No	No	Yes	No
Assam	Yes	No	No	No	No	Yes	No
Bihar	Yes	Yes	No	No	No	No	No
Chhattisgarh	Yes	No	No	No	No	No	No
Delhi	Yes	Yes	Yes	No	No	No	No
Goa	No	No	No	No	No	No	No
Gujarat	Partially	No	No	No	No	No	No
Haryana	Partially	No	Yes	No	No	Yes	No
Himachal Pradesh	Yes	No	Yes	No	No	No	No
Jharkhand	Yes	Yes	No	No	No	No	No
Karnataka	Yes	Yes	No	No	No	No	No
Kerala	Yes	Yes	No	No	No	No	Yes
Madhya Pradesh	Yes	Yes	No	No	No	No	No
Maharashtra	Yes	Yes	No	No	No	No	No
Manipur	Partially	No	No	No	No	No	No
Meghalaya	Yes	No	Yes	Yes	No	No	No
Mizoram	No	No	No	No	No	No	No
Nagaland	No	No	No	No	No	No	No
Odisha	Yes	Yes	No	No	No	Yes	No
Punjab	Partially	No	Yes	No	No	No	No
Rajasthan	Yes	Yes	No	No	No	Yes	No
Sikkim	No	No	No	No	No	Yes	No
Tamil Nadu	Partially	No	Yes	No	No	No	No
Telangana	Partially	No	No	No	No	Yes	No
Tripura	No	Yes	No	No	No	No	No
Uttar Pradesh	Yes	No	Yes	No	No	No	No
Uttarakhand	No	No	No	No	No	No	No
West Bengal	Yes	No	No	No	No	No	No

Legend - Yes  No  Partially 

Table 2 - Table showing sector wise relief measures announced from the Central and State Governments

Analysing circular and orders to the various informal population groups:

The central government has mostly recognized migrant and daily wage labourers, construction workers, homeless and street vendors through the multiple orders and circulars released for the benefits and support extended to different population groups during lockdown. This left behind the more vulnerable and marginalized population groups such as Waste Pickers, Domestic workers, Transgenders. Of the 175 national orders only 27 orders were directly related to urban poor and marginal groups, and if you further focus on informal sector workers only 12 were relevant. States, in comparison, have been able to capture the workers' diverse needs better.

Below mentioned are some more details on the specific groups addressed by different States –

- 17 states (Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Delhi, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Odisha, Rajasthan, Sikkim, Uttar Pradesh, and West Bengal) have specific provisions related to daily wage/migrant workers.
- 23 states (Andhra Pradesh, Gujarat, Haryana, Manipur, Punjab, Tamil Nadu, Telangana) have mentioned their general provisions which have been captured in the matrix, this may or may not benefit the migrant daily wage workers.
- 12 states (Andhra Pradesh, Arunachal Pradesh, Bihar, Delhi, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, and Tripura) have specific provisions related to the homeless.
- 11 states (Arunachal Pradesh, Delhi, Haryana, Himachal Pradesh, Meghalaya, Punjab, Tamil Nadu, Uttar Pradesh) have specific provisions on construction workers.
- Only one state, Meghalaya has made specific provision on domestic workers.
- No state has any provisions on waste pickers.
- 11 states (Arunachal Pradesh, Assam, Haryana, Odisha, Sikkim, Telangana, Rajasthan) have specific mention of street vendors.
- Only Kerala government has mentioned about providing assistance to transgender on a large scale who cannot provide for themselves during the lockdown. The National Institute of Social Defense, operating under the MoSJE, has promised INR 1,500 to a group of 4,500 identified transgender persons, who have access to identity documents. However, India has more than 4.88 lakh transgender persons according to the 2011 Census.

Homogenizing urban poor and marginal groups as one – The state responses as seen through the orders aimed at tackling the crisis created by COVID – 19 reveal a deep rooted problem of labelling various urban deprived and marginalized sections as one – ‘migrant’, ‘urban poor’ entity. The responses that came in the first phase of lockdown revealed this bias when the first attention to these population needs went to their shelter and food, and not to their livelihoods. Not to say that shelter and access to food were not required at the moment. Whilst there was a lot of speculation over the condition of the economy, there was not much discussion on how informal livelihoods will be protected and secured. The workers were only meant to be given emergency shelter and food, while their livelihoods might vanish. The spectrum of informal groups across sectors was not identified by the government and hence there was no mention of waste pickers and street vendors

as essential services, while other essential services were lauded and recognized as 'Corona Warriors'. No mention of the lost livelihoods of domestic workers as their work is still unregulated and does not have any policy framework. Thus in their efforts to help and assist the urban marginal groups the responses were unidimensional and did not care for the diversity of informal sector workers and their needs. This glaring gap still remains and unless corrected might impact the post-covid phase negatively. The positives in the orders were the special focus received for homeless, migrant workers, the dependent children, people with disabilities and women in need of support.

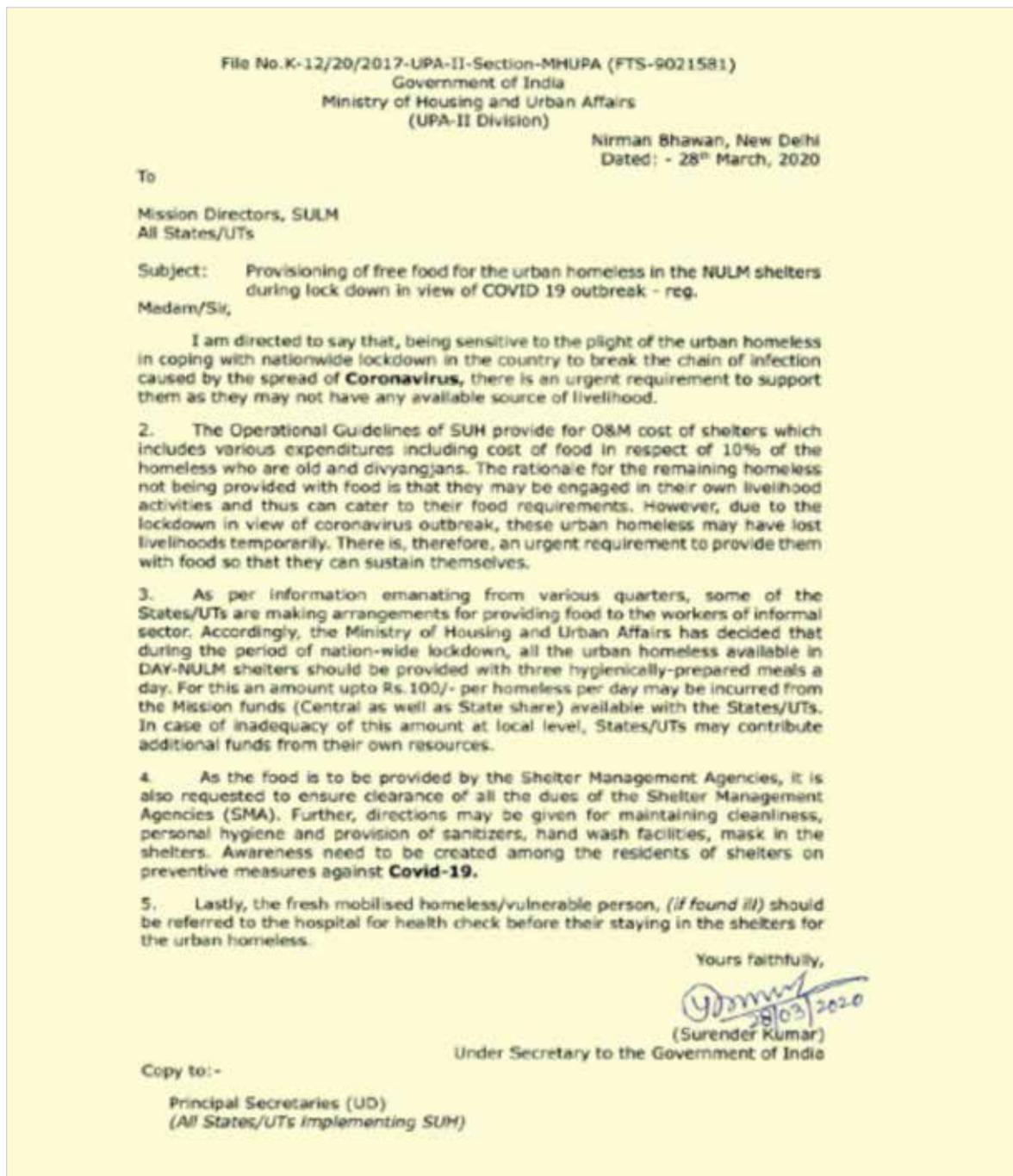


Fig 1 - Central Govt order from the Ministry of Housing and Urban Affairs ensuring provision of food to homeless persons all over the country in the NULM shelters

File No. K-13011(11)/123/2017-UPA-II-Section (FTS-3144546)
Government of India
Ministry of Housing and Urban Affairs
UPA-II

Nirman Bhawan, New Delhi
Dated: - 3rd April, 2020

To,

Principal Secretary (UD/LSG)
All States/UTs

Subject: Allowing identified urban street vendors to sell essential items during lockdown period due to COVID-19 - regarding.

Sir/Madam,

I am directed to invite reference to the Ministry of Home Affairs Order No. 40-3/2020-D, dated March 24, 2020, inter-alia, imposing restrictions on the operation of commercial and private establishments while providing certain exemptions for provision of essential services such as food, groceries, fruits, vegetables etc. The district authorities have been encouraged to facilitate home delivery to minimize movement of individuals outside their homes.

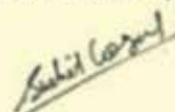
2. The urban street vendors are facing the risk of losing their livelihoods during the period of lockdown. They play an important role in supply of essential items like groceries, fruits and vegetables to the citizens at affordable prices. ULBs have already identified the street vendors as per the provisions of the Street Vendors Act, 2014 and issued certificates of vending and identity cards to them.

3. Therefore, in order to encourage the home delivery of essential items like groceries, fruits and vegetables, it is advised that the street vendors carrying valid identity card/ certificate of vending, may be allowed to carry on their business subject to the restrictions imposed by the district authorities. However, restrictions may continue to be imposed on the street food vendors, as they may result in congregation of persons, violating the restrictions of the lockdown.

4. The street vendors, thus allowed, need to ensure cleanliness of carts, maintain personal hygiene, follow social distancing and use sanitizers/hand wash with soap as per Ministry of Health & Family Welfare Guidelines.

5. It is requested that appropriate instructions in this regard may be issued, with intimation to the Central Government, to the local and district authorities accordingly. That should be followed up with review through Video Conference.

Yours faithfully,



(Suchit Goyal)

For Under Secretary to the Government of India

Fig 4 - An order from the Ministry of Housing and Urban Affairs clearly categorising street vendors selling groceries, fruits and vegetables as essential services. This came days after viral videos of police personnel vandalising vegetable carts

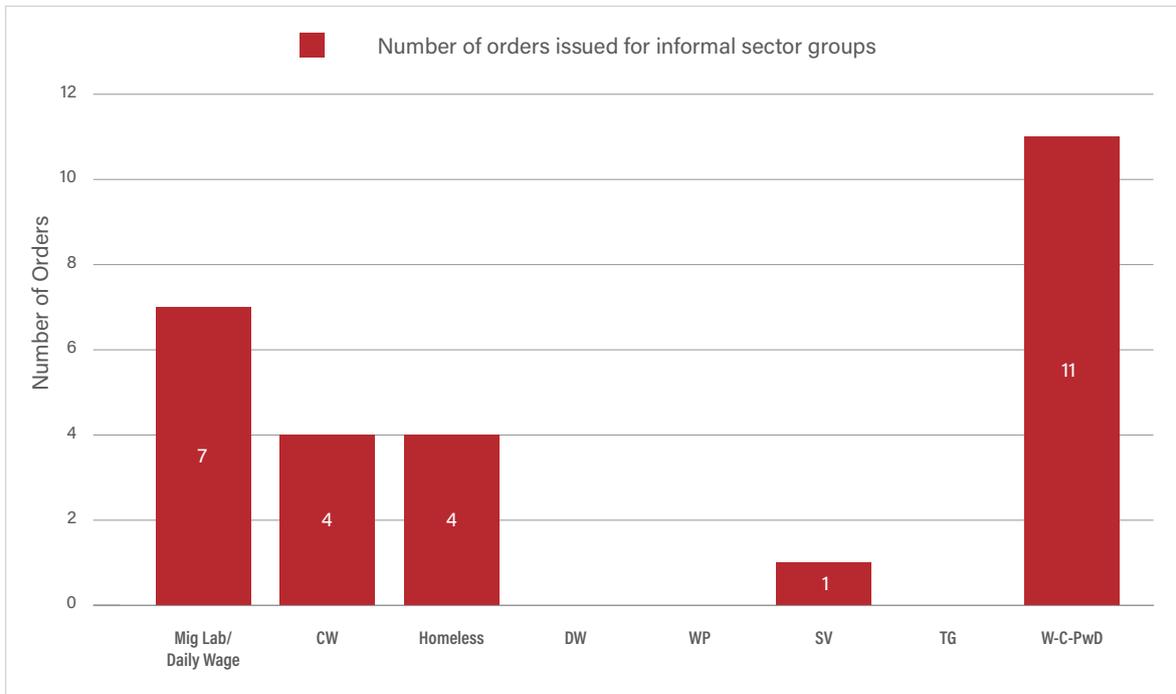


Fig 2 - Graph showing number of orders issued for informal sector worker groups

Social Exclusion of Orders - The orders and circulars have been particularly silent on the issue of inclusion. Though MoSJE has come forth with many notifications, there could have been a more concerted focus on the marginal groups that might fail to get their benefits in the times of crisis. There has been no mention of Transgenders, Dalits, Bahujans and minorities in any of the circulars specifically. The intersectionality of their labour and marginality has been ignored in the central and most state circulars. The circulars also do not make a single mention of informal occupations that are predominantly done by women, turning a blind eye to the imbalanced gendered effects of the COVID-19 pandemic. However, a fair amount of circulars have been issued on Women/Children/PwD groups; which is a welcoming move.

Ad Hoc and unplanned implementation of the lockdown - The timeline of the government circulars reveal the unplanned execution of lockdown. From the first case on 30th January 2020, that was reported in Kerala to the 24th of March 2020 there were not many circulars or guidelines that were released not just for informal sector workers and marginal population groups but for the whole country, suggesting a limbo of planning and forethought at the then impending crisis. By the 15th of March, migrant workers started rushing back to their distant villages. The economy was almost brought to a standstill and they sensed that harsher provisions for lockdown were inevitable. It was at this time that the schools, colleges and commercial establishments were also shut to reduce people to people interaction. The Janta curfew and then the final call for lockdown on 24th March came as a surprise to the urban poor and migrants, who were not warned of the coming restrictions, thus triggering a wave of migration to shelters and transit points. Police atrocities on Migrant workers are centre stage by 25th March and then thousands of migrants were stuck on state borders, bus depots looking to return to their homes. It was only on the 26th March 2020 that the first circular on construction workers was issued, alongside the first and last stimulus package for the nation. Post 28th March 2020, with the

chaos at the State borders because of migrating workers, there were multiple orders on the need for provision of shelter and food. Aside from the migrant workers, homeless also received wide policy attention as their condition due to lockdown had deteriorated. Other orders that have come in the last few days of March and most of April signaled a non-comprehensive approach to informal workers and their conditions. Few States as compared to the National Government on workers and marginal groups have done well and have issued progressive guidelines much before.

The lack of focus on Lives & Livelihoods - Inaction of certain ministries is very visible in the state response at the national level. Though agreeing to the fact that this is primarily a health crisis and our focus be on saving lives, but with the economic realities of our country, it was amply clear from the beginning that this is a struggle to save both lives and livelihoods. Whilst MoHA and MoHFW were overall the most active ministries, the ministries of MoLE and MoHUA have been mostly quiet. This has meant that urban informal livelihoods and their concerns have been unaddressed in the crisis and shelter needs for the most marginal have also been ignored. Going forward these ministries will or rather should play a critical role in the post – COVID scenario.

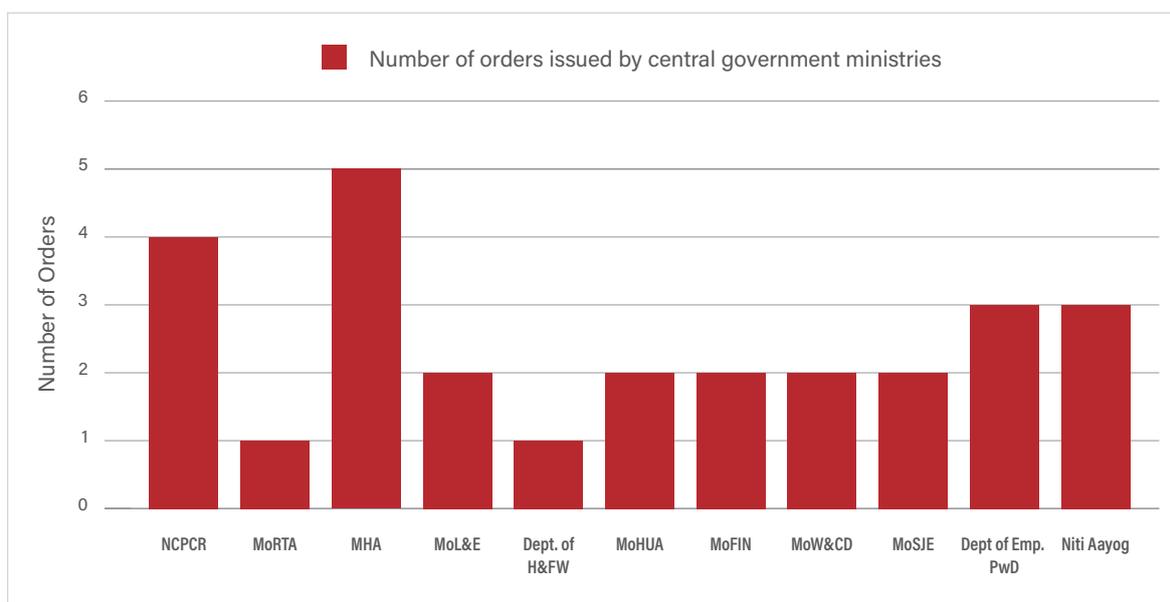


Fig 3- Graph showing number of orders regarding relief measures during lockdown issued by each government ministry or department during the lockdown

Amongst the order relevant to informal sector workers and marginal groups, the maximum numbers of orders have been issued by the National Commission for Protection of Child Rights and the Ministry of Home Affairs. 1 order has been issued by the Ministry of Road and Transport Highways. 2 orders have been issued by the Ministry of Labour and Employment. 1 order has been issued by Department of Health and Family Welfare. Only 2 orders have been issued by the Ministry of Housing and Urban Affairs. 2 orders have been issued by the Ministry of Finance. 2 orders have been issued by the Ministry of Women & Child Development. 2 orders have been issued by the Ministry of Social Justice and Empowerment. 3 orders have been issued by the Department of Empowerment of Persons with Disabilities, and 3 orders have been issued by the Niti Ayog.

No centralized compilation of advisories and orders – On a daily basis there were more than a dozen circulars released at the national level in the last two months. While in our attempts to study the orders at national and state level, it was apparent that there was no consolidated centralised measure of maintaining orders from national to state to ULB level in a designated portal. Each ministry had their own portal for publishing their circular. Some are very active like MoHFW and MoHA, others are not even depicting the COVID related orders in their main page, signaling lack of coordination and difficulties in gaining easy access to information for citizens and wider public. The situation at the level of States and ULBs further deteriorates.

Some states are doing relatively better than Central government in addressing diverse need of informal workers - States such as Arunachal Pradesh, Delhi, Meghalaya, Kerala, Rajasthan governments are the only ones who have mentioned other informal population groups like street vendors, domestic workers, construction workers, transgender and homeless, apart from migrant/daily wage workers. Governments of Meghalaya and Kerala require a special mention here, as they broadly have caught on to the crucial issues of the workers. The Meghalaya government mentioned specifically that domestic workers would not be dismissed from employment at this time, if they were, legal action would be taken. The Kerala government talks about bringing the homeless and destitute under safety nets and specific provisions of transgender who cannot support them, apart from that loan facilities and decentralized health infrastructure is helping the state to flatten the curve. There seems a good opportunity to share and improve on these orders and ensure that benefits reach the most marginal.

“ *The COVID-19 pandemic has given us the opportunity to finish the unfinished agenda of entitlements and advancement of the informal workers. Portable identity across state borders along with universal social protection including living wages, pension, maternity, health entitlements, and unemployment allowance are urgent needs of the hour. In the absence of this, the current state of informal workers in India looks bleak. Absence of urgent economic support will only further their already existing vulnerabilities, marginalisation, and exploitation. They will continue to be treated as disposable and stateless persons.*

We, therefore, must bring back working-class agenda on the centre of social, economic and political debate, and make sure it happens this time! **”**

Chandan Kumar,

Working Peoples' Charter and Hamal Panchayat

“ *The current lockdown crisis has inflicted devastation on an unprecedented scale on the vulnerable community of migrant workers. It needs to be emphasized that these were pre-existing vulnerabilities that have been precipitated by this crisis. Stranded in cities in subhuman conditions, deprived of food and other basic necessities, migrants' long-standing exclusion from critical entitlements and public services in the cities has now reached a flashpoint. It is imperative that the current public attention on this community is leveraged to mainstream their needs into the policy imagination of our urban development and social programmes. Universalization of social rights by delinking them from domicile, employment status or tenure security of their settlements needs to become the guiding principle of our policies. The need of the hour is to reimagine the migrants' relationship to the city and reward them with rights and dignity to honour the enormous contributions that they make to building our urban spaces* **”**

Divya Varma

Policy Research and Advocacy Officer, Aajeevika Bureau

**No Work, No Place to Stay, Nothing to Eat
- A Social Anonymity**



Photo credits - NIRMANA Organisation

No Work, No Place to Stay, Nothing to Eat - A Social Anonymity

Building & Other Construction Workers

There are more than 6 crore construction workers in India, out of which only 3.5 crore are registered with different Building and Other Construction Workers (BOCW) boards across different states in the country.⁵ Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 is the primary policy framework that regulates employment and conditions of service of BOCW and to provide for their safety.⁶ It is one of the first of many laws that addressed the issue of informal sector workers and provided for social security benefits. For the purposes of its implementation a cess is levied and collected at the rate of 1% of the cost of construction by the State Governments under the Building and Other Construction Workers' Welfare Cess Act, 1996. In the 22 years since, governments across parties-lines have managed to accumulate a little more than Rs. 45,400 crore.

There are primarily two kinds of urban construction workers – some who are based out of cities and rarely migrate, and other that move from one work site to another. In most of the cases it was found that they live in kuchcha houses in slums or colonies, or at the construction sites for those migrating frequently.⁷ Over 95% of all BOCW workers are casual and employment is non-contractual. Intra-state migrant workers that constitute up to 50% of the workforce do not benefit from local services and entitlements, and are further marginalised as compared to the local counterparts. Accesses to financial services were also a rarity in the migrant building construction worker category.⁸

Dilution of Existing Labour Laws in times of Covid-19 Crisis

Labour codes were introduced with an objective to facilitate ease of business and to strengthen the role of the employer.⁹ Keeping in mind the welfare of the construction workers, on 25th March 2020, as the lockdown began, it was announced that the "In the advisory, under Section 60 of the Building and Other Construction Workers Act, 1996, all State Governments/UTs have been advised to transfer funds in the account of construction workers through DBT mode from the Cess fund collected by the Labour Welfare Boards under the BOCW cess Act,". There are many who say that this amount is not sufficient and the migrant workers who are not registered in the state where they are working should also be provided financial support.¹⁰ During the Covid-19 lockdown, lakhs of construction workers, having received little or

5 Ananda, Jonathan; March 2020; "1.5 crore unregistered construction workers in the lurch sans relief"; Indian Express; Press

6 BoCW Regulations and Conditions of Service Act, 1996; Ministry of Labour and Employment; Web

7 Kundu, Debolina and Naik, Mukta, June 2014, "Urban India"; NIUA Publications

8 Srivastava, Ravi and Jha Ajit, April 2016; Capital and Labour Standards in the Organised Construction Industry in India; CSRD- JNU Publications; Journal

9 Labour Law Reforms, Ministry of Labour and Employment, 2020; Web - <https://labour.gov.in/labour-law-reforms>

10 Press release of National Campaign Committee – Building Construction Workers

no benefits from a Welfare board that dutifully taxes them on every building, whether they are registered or not, are left without any alternatives except those welfare measures which they should already have been receiving as per the BoCW Act. Most construction workers are stranded in their place of work as the lockdown has flattened economic opportunities.

Government Circulars and Announcements for Construction Workers during the Lockdown

State	Food	Social Security	Cash Transfer	Livelihood / Registration	Financial Facilities (loans)	Mid day meals, Anganwadi and women
Andhra Pradesh	Partly may benefit	Partly may benefit	No	No	No	No
Arunachal Pradesh	Partly may benefit	Partly may benefit	Yes	No	No	No
Assam	Partly may benefit	Partly may benefit	No	No	No	Partly may benefit
Bihar	Partly may benefit	Partly may benefit	No	No	No	Partly may benefit
Chhattisgarh	Partly may benefit	No	No	No	No	Partly may benefit
Delhi	Partly may benefit	Partly may benefit	Yes	No	No	No
Goa	No	No	No	No	No	No
Gujarat	Partly may benefit	No	No	No	No	Partly may benefit
Haryana	Partly may benefit	Partly may benefit	Yes	No	No	Partly may benefit
Himachal Pradesh	Partly may benefit	Partly may benefit	Yes	No	No	Partly may benefit
Jharkhand	Partly may benefit	No	No	No	No	Partly may benefit
Karnataka	Partly may benefit	Partly may benefit	No	No	No	No
Kerala	Partly may benefit	Partly may benefit	No	No	No	Partly may benefit
Madhya Pradesh	Partly may benefit	Partly may benefit	No	No	No	Partly may benefit
Maharashtra	Partly may benefit	Partly may benefit	No	No	No	Partly may benefit
Manipur	No	No	No	No	No	No
Meghalaya	No	Partly may benefit	Yes	No	No	No
Mizoram	Partly may benefit	No	No	No	No	No
Nagaland	No	No	No	No	No	No
Odisha	Partly may benefit	Partly may benefit	No	No	No	Partly may benefit
Punjab	Partly may benefit	Partly may benefit	Yes	No	No	No
Rajasthan	Partly may benefit	Partly may benefit	Yes	No	No	Partly may benefit
Sikkim	Partly may benefit	Partly may benefit	No	No	No	No
Tamil Nadu	Partly may benefit	Partly may benefit	Yes	No	No	Partly may benefit
Telangana	Partly may benefit	Partly may benefit	No	No	No	Partly may benefit
Tripura	No	No	No	No	No	No
Uttar Pradesh	Partly may benefit	Partly may benefit	Yes	No	No	No
Uttarakhand	No	No	No	No	No	No
West Bengal	Partly may benefit	Partly may benefit	No	No	No	Partly may benefit

Legend - Yes  No  Partly may benefit 

Table 3 - Government Circulars and Announcements for Construction Workers during the Lockdown

महाराष्ट्र शासन
उद्योग, ऊर्जा व कामगार विभाग,
सुतात्मा राजगुरु चौक, मादाम कामा रोड,
मंत्रालय, मुंबई ४०० ०३२.

दुरध्वनी क्र. :- २२०२६३३०

email id shashank.sathe@nic.in

क्रमांक :- संकीर्ण- २०२०/प्र.क्र. १ (कोविड) /काम-७

दिनांक. १८ एप्रिल, २०२०

प्रति,

१) कामगार आयुक्त,
महाराष्ट्र राज्य, मुंबई

२) सचिव,
इमारत व इतर बांधकाम कामगार कल्याणकारी मंडळ
बांद्रा (पूर्व) मुंबई

विषय :- महाराष्ट्र इमारत व इतर बांधकाम कामगार कल्याणकारी
मंडळाच्या नोंदणीकृत सक्रिय (जिवीत) बांधकाम कामगारांना
कोविड-१९ विषाणूच्या प्रादुर्भाव कालवधीत अर्थसहाय्य देणेबाबत.

महोदय,

कोरोना विषाणूच्या प्रादुर्भावामुळे राज्यात लॉकडाऊन घोषित करण्यात आलेला आहे. सदर लॉकडाऊन कालवधीत इमारत व इतर बांधकाम बंद झालेले आहेत. राज्यातील इमारत व इतर बांधकामावर काम करणाऱ्या नोंदणीकृत सक्रिय (जिवीत) बांधकाम कामगारांना सध्या कोणतेही कामकाज करता येत नाही. त्यामुळे या सर्व नोंदणीकृत सक्रिय (जिवीत) बांधकाम कामगारांना बांधकामाच्या ठिकाणी अथवा त्यांच्या घरी थांबावे लागत आहे. त्यांना दररोजची रोजंदारी मिळत नाही. यामुळे त्यांना दैनंदिन गरजांची तजवीज करताना अडचणींना सामोरे जावे लागत आहे. सध्याची लॉकडाऊनची परिस्थिती लक्षात घेता मंडळाकडील नोंदणीकृत सक्रिय (जिवीत) बांधकाम कामगारांना प्रत्येकी रु.२०००/- इतके अर्थसहाय्य त्यांच्या बँक खात्यामध्ये थेट (DBT) जमा करण्यास शासनाची मंजूरी देण्यात येत आहे.

२. वरीलप्रमाणे कार्यवाही करून त्याचा पूर्तता अहवाल शासनास सादर करावा.

आपला,

श. म. स. ल. स.

Fig 5 - Order from Industries, Energy and Labour Dept. of Maharashtra dated 18.4.2020, saying- Maharashtra Government to provide an assistance of Rs 2,000 each to 12 lakh registered construction workers through direct benefit transfer scheme during Coronavirus Lockdown

Analysis

Cash Transfers - Only 10 out of 30 States and UT's have specifically announced cash transfers for construction workers to facilitate some liquid cash urgently required for their survival during the lockdown. These cash transfers range from Rs 5,000 (Delhi) to Rs 1,000 (Uttar Pradesh, Haryana, Tamil Nadu, Rajasthan) for a period of one month and vary in the dispersal times. They are mostly to be done through Direct Bank Transfers (DBT). One common thread between all of the cash transfer announcements is that these will only be done to 'registered' construction workers. These are unclear whether they are to be registered with their individual contractors or the BOCW Welfare Boards in the respective states. Registration of construction workers is in itself a major problem due to a lack of regular surveys, no job security, the nature of contractual construction labour and most of all a lack of implementation of the BOCW Act of 1996. Registered official lists often have gross underestimations, incomplete procedures, unverified bank account numbers, no linkages between IDs and bank details etc., all of which create massive problems for vulnerable workers already suffering through hunger and neglect. Under general relief measures offered for COVID relief, there is provision of food and social security related cash transfers.

Food and Social Security - 23 states have ensured provision of rations for underprivileged sections of society which may or may not directly benefit construction workers.

20 states have announced social security measures such as pension release, cash transfers to BPL families etc., for 2 months, with varying amounts. These measures are mainly aimed at registered unorganised sector workers.

Voices from the Ground

Amit, Patna, Bihar-

The sudden announcement of lockdown by the government in Bihar has forced Amit's family to starve. He cannot get any benefit from the various schemes announced by the government to support the poor and the workers belonging to the informal sector. He cannot even move to his native village and is now stranded on the streets. According to him, even the state government is unable to reach out and help the people and so far no assistance has arrived either monetary assistance or benefit through the PDS system. He has to use his savings to purchase the essential items, which he saved either for the study of his children.

Raju, Agra, Uttar Pradesh-

Raju is working as a contract worker in different parts of the state and according to him, initially the contractors or the employer did not provide him any kind of cash relief or in-kind assistance and now his family is fighting for their survival. The financial aid scheme of INR 1000 announced by the government has not yet reached him, People around him are forced to borrow from the private money lenders. His labour card has expired and he was not able to renew the same due

to the recent introduction of online portals. There are also quite a few workers who have still not registered with BOCW and as a result, will not be benefitting under the scheme.

Anand, Delhi-

According to Anand, many construction workers in Delhi haven't got any work since the lockdown. He also said that the contractor has not provided any kind of support including the wages and those who are living at the construction sites were asked to leave immediately after the lockdown. Initially, few NGOs have provided him with the support of dry ration and other essential items and later those who had a valid ration card have received ration through the PDS. However he also says that those who do not have the ration card are still waiting for such assistance and are currently dependent either on NGOs support or Hunger relief centres.

Subhash Bhatnagar, National Campaign Committee, Delhi-

Subhash Bhatnagar says that all these chaos could have been prevented and the risk and the loss of the livelihood of the construction workers could have been minimised if the intimation of closing the construction sites and related work had been circulated in advance. Secondly, proper arrangements should have been made at the shelters and all these facilities should be equipped with all the basic necessities like drinking water, sanitation, meal arrangements etc much in advance before the lockdown was announced. He also shares his concerns on the amount the states are spending to provide relief to the Construction workers and said that there is no transparency on the total amount of funds utilised till date in states. He further added that 29,000 released to all the state governments for disaster relief should be used efficiently for providing relief to these workers.

Foreseeing the future situation he added that there have been rumours that the government is planning to increase the hours of work for construction workers from 8 to 12 hrs per day as there will be a huge deficit of workforce even when the lockdown is over. This kind of step would lead to more accidents and casualties at the workplace as most of the sites are not equipped with proper safety measures as mentioned in the act. Hence the government should ensure that workplaces are adhering to the norms of the act and safety and security of the workers should be ensured.

Siddheshwar Shukla, Centre for Indian Trade Unions, Delhi-

According to him, our cities have failed to give space to the migrant workers and we can see that clearly in today's times when the pandemic has hit us in a way that all we are talking about is social distancing and work from home but many migrant construction workers cannot afford that. The contractors and managers are not picking up their calls and this is leading to not just the income/ livelihood loss but also the mistrust on the government and ungrateful city 'residents' as well.

R. Geeta, Unorganised Worker's Federation, Chennai-

An activist from Chennai, Geeta has spent many years advocating for the rights of the unorganised sector workers. She presents a dire situation on the ground. "With no jobs or incomes, facing hunger and inability to pay rent (Minimum rent being Rs 2000 to Rs 5000) the unorganised workers with women and children, who produce 65% of GDP are struggling to survive every day". She therefore has been corresponding with the state governments to provide free checkups and train journeys back to their homes for all migrant workers. She has also stressed the inclusion of those CWs who had registered with the local bodies but have not renewed their licenses, and has strongly advocated for their inclusion in the welfare distribution network. Based on scientific evidence and loads of experience her organisation has also suggested enhancing the PDS so that every card holder must be provided 30 kgs of rice, 5 kgs of dal, 3 litres of oil and Rs 5000 for other expenses including vegetables etc. Her organisation has also suggested an ingenious use of daily wage labourers to assist the government authorities in the packing and door to door delivery of rations in the state.

Policy Recommendations

Immediate Measures

1. **Immediate income transfer to all-** In order to reach out maximum number of workers it is imperative to benefit not just the registered and formal construction workers but also the informal construction workers. This should be done with the help of several Trade Unions, NGOs, SHGs, CSOs, Contractors and employers. This would fasten the process of relief for construction workers.
2. **Legal action should be taken against the eviction and employment termination-** To ensure the rental and shelter security, every state government needs to ensure that no construction worker will be evicted or displaced from their places. Along with this, the termination of employment must be declared a legal crime and appropriate actions must be taken against the employer and property-owner who are forcing them to vacate their jobs and houses respectively.
3. **Food and dry ration for all-** Many construction workers are deprived of food supply due to lack of ration cards and other legal documents. Therefore, every State Governments must ensure that every construction worker is covered in the Public Distribution System regardless of ration and BPL cards. This should also include the women and children in the family. In this process, the identity cards issued by trade unions and NGOs need to be legitimised by the PDS. Migrant labourers and daily wage earners can also be included in the local authorities food distribution programmes and can help in packing and delivering rations.
5. **Guidelines and Standard Operating Procedures (SOPs) -** MoL&E must release the fresh

guidelines for managing the COVID-19 pandemic. It should include the points related to safety, security and protection of the formal as well as the informal construction workers.

Medium Term Measures

6. **Arrangements related to safety and basic facilities at the workplace** - Different media reports and studies speculate that post the period of the lockdown the state governments are willing to issue orders of making it compulsory for the workers to stay at the workplace, these orders may be intended to ensure the restrictions over the spread of the pandemic but at the same time the state governments should also ensure proper safety and availability of all the basic facilities related arrangements at all the workplaces as mentioned under from the rule 35 to 40 other sections of the act.
7. **Renew registration of construction workers** - There has been a visible gap between the actual number of construction workers and those who are registered with the BOCW boards. With 50% of construction workers registered with the BOCW boards across all states and there will be huge number of workers that remain un-benefitted from the benefits ensured under the act. The BOCW boards under the act is the authorised body to register new workers and efforts should be made to ensure to cover all the workers. The appointed staff of the BOCW members should be given the responsibility to collect the bank account details of the newly registered workers. Along with this the registration of eligible pensioners should also be made compulsory.
8. **Additional compensation-** Social security like Pensions, loan and health insurance must be provided to all the registered and unregistered construction workers. A special focus should be on the pregnant and lactating women as well as children. They should be provided all kinds of medical and health assistance.
9. **Extension of benefits to the discontinued labour cards** - Due to the introduction of the new online system of registration many workers have failed to renew their registration process, it should be ensured that all BOCW boards take adequate steps to cover all such people. All such workers whose registration is expired should be given an extension and also be covered under the compensation scheme. For this purpose, a self-declaration can be obtained from such workers as proof which can be later verified. Similarly under S. 22(1)(h) a scheme should be made to cover unregistered workers at major construction sites and labour chowks. The said workers could be provided compensation in kind if not in terms of monetary relief.

Long Term Measures

10. **Registration of all construction workers-** Even after the introduction of BOCW boards and clear provision regarding the registration of the labours in the act, the majority of the labours remain unregistered and hence are deprived of the schemes and other entitlements.

Also, to effectively implement the provision, we urge the state government to form a Monitoring Committee to keep a check if the act is being effectively implemented.

11. **Incorporation of social security schemes-** Social security schemes which benefits ration cards, housing, pension, health, education, security and other welfare services should be implemented properly.

12. **Planning for workers housing and facilities centric to informal livelihoods -** The crisis has revealed the need for increased investment in workers housing and hostels that provide safe and hygienic accommodation to the varied kinds of workers in cities. There is also a need to plan for facilities like decentralised PDS centres, health facilities and other public services relevant to the informal sector workers like construction workers that are missing in the present.

Lost livelihoods, Communalisation and Lack of Safety Net for Street Vendors



Lost livelihoods, Communalisation and Lack of Safety Net for Street Vendors

Street vending in India

Until the Street vendors act 2014, street vendors were imagined to be as illegal, not counted in official statistics, nor were they taken into account by urban planners or municipal administrators. In many cities, unrealistic licensing obligations made vendors illegal by default, exposing them to bribery and extortion.¹¹ Millions of persons consume and buy from street vendors across all demographics and class lines. The daily earnings of street vendors range between 100 and 500 rupees per day; a substantial part of which goes in paying bribes and 'protection money'.¹² Street Vendors also provide an inextricable link to the city's past and its culture as they always seem to perpetuate foods, clothes and practices that have historical links in the city. However, they have been denied their legally mandated self-governing bodies According to the Centre for Civil Society(CCS), out of 7263 towns, only 33% formed TVCs of which only 58% have complied with vendor representation in the TVC.¹³

The Street Vendors Act of 2014 was a landmark legislative achievement, but the ground realities six years later have taken a turn for the worse.¹⁴ The powers of the Vendors representatives has been diminished in the legally mandated TVCs (Town Vending Committees), regular surveys are not conducted, eviction of street hawkers continues to be the default response in big cities and local officials ignore hawkers when convenient and tighten the rules on them when exigencies have demanded preventive action.¹⁵ This sector has been neglected and discarded for so long even though their contributions to our cities are immeasurable, as they occupy less than 1% of the total land area of any major city but support approximately 40 million i.e. 10% of the urban population directly or indirectly.¹⁶ According to the Ministry of Housing and Urban Affairs (MoHUA), there are approximately 10 million street vendors in India, counting their families and dependants, this is a population size of almost 50 million (5 crore) directly reliant on street vending and street hawkers.¹⁷

Street vending during the lockdown

In the past three weeks, this sector has been adversely affected due to COVID -19. All street vendors are daily wage earners and the Coronavirus pandemic is acutely affecting their livelihood and access to resources. Their daily transactions involve busy markets and hand to hand transactions which have been completely decimated due to the lockdown. The closures of wholesale markets are also creating a

11 Kumar, Sachin and Singh Arbind, 2017 Trade Unions in Transformation Towards a Better Deal for Street Vendors in India; Friedrich-Ebert-Stiftung Publications | Global Policy and Development

12 Saha, Debdulal, 2011; "Working life of street vendors in Mumbai", Indian Journal of Labour Economics; Journal

13 Narang, Prashant and Nangia, Apoorva, March 2020 Matrices of State Rules and Schemes under the Street Vendors Act, 2014

14 Street Vendors Act, 2014; Ministry of Housing and Urban Affairs; National Gazette

15 Jha, Ramanath; 2018, "Strengthening urban India's informal economy: The case of street vending"; Observer Research Foundation

16 World Bank Data, Center for International Earth Science Information Network (CIESIN)/Columbia University. 2013. Urban-Rural Population and Land Area Estimates

17 "Street Vendors Act, 2014"; Centre for Civil Society Study 2017; Website

huge problem for street vendors. Law enforcement agencies are relentlessly carrying out daily evictions under the guise of a lockdown. The circumstances make it absolutely impossible for a street vendor in any city in India to pursue their livelihood in this ongoing duration in the fight against COVID 19. Adding to the woes, the communalisation of discourse over COVID 19 pandemic has impacted the Muslim street vendors and their trade negatively.

Government Circulars and Announcements for Street Vendors during the Lockdown

State	Food	Social Security	Cash Transfer	Livelihood / Registration	Financial Facilities (loans)	Mid day meals, Anganwadi and women
Andhra Pradesh	Yellow	Yellow	Green	Red	Red	Red
Arunachal Pradesh	Yellow	Yellow	Green	Green	Red	Red
Assam	Yellow	Yellow	Red	Red	Red	Yellow
Bihar	Yellow	Yellow	Green	Red	Red	Yellow
Chhattisgarh	Yellow	Red	Red	Red	Red	Yellow
Delhi	Yellow	Yellow	Red	Red	Red	Red
Goa	Red	Red	Red	Red	Red	Yellow
Gujarat	Yellow	Yellow	Red	Red	Red	Yellow
Haryana	Yellow	Red	Green	Red	Red	Yellow
Himachal Pradesh	Yellow	Yellow	Red	Red	Red	Red
Jharkhand	Yellow	Red	Red	Red	Red	Yellow
Karnataka	Yellow	Yellow	Red	Red	Green	Red
Kerala	Yellow	Yellow	Red	Red	Yellow	Yellow
Madhya Pradesh	Yellow	Yellow	Red	Green	Red	Yellow
Maharashtra	Yellow	Yellow	Red	Red	Red	Yellow
Manipur	Red	Red	Red	Red	Red	Red
Meghalaya	Red	Yellow	Red	Red	Red	Red
Mizoram	Yellow	Red	Red	Red	Red	Red
Nagaland	Red	Red	Red	Red	Red	Red
Odisha	Yellow	Yellow	Green	Red	Red	Yellow
Punjab	Yellow	Yellow	Red	Red	Red	Red
Rajasthan	Yellow	Yellow	Green	Red	Red	Yellow
Sikkim	Yellow	Red	Green	Red	Red	Red
Tamil Nadu	Yellow	Yellow	Green	Red	Red	Yellow
Telangana	Yellow	Yellow	Green	Red	Red	Yellow
Tripura	Red	Red	Red	Red	Red	Red
Uttar Pradesh	Yellow	Yellow	Green	Red	Red	Red
Uttarakhand	Red	Red	Red	Red	Red	Red
West Bengal	Yellow	Yellow	Red	Red	Red	Yellow

Legend - Yes  No  Partly may benefit 

Table 4 - Government Circulars and Announcements for Street Vendors during the Lockdown

Government of Odisha
Housing & Urban Development Department

No. PT-4-HUD-UPA-MISC-0009/2020/ 8119 /HUD., Bhubaneswar, 30.3.2020

From
Shri Sangramjit Nayak, IAS,
D.M.A & Ex-Officio Addl. Secretary to Government.

To
The Commissioner,
All Municipal Corporations.
The Executive Officer,
All Municipalities & NACs.

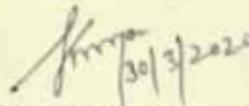
Sub: Sanction of financial assistance to the Street Vendors by Hon'ble Chief Minister out of the Chief Minister's Relief Fund for COVID-19.

Sir,
In inviting reference to the subject cited above, I am directed to intimate that it has been decided by the Government for providing financial assistance of Rs.3,000/- to each registered / identified Street Vendors out of Chief Minister's Relief Fund to cope with the situation arising out of lockdown due to COVID – 19. As per the above declaration, an amount of Rs.3,000/- may be released immediately in favour of the each registered/identified street vendors made by ULBs (List Enclosed) within 3 days to mitigate their needs during the lock down of on-going COVID – 19 from out of the funds available with you. The detail utilisation certificate to this effect may be sent to this Department for necessary action at this end.

All fund transfer may be made through DBT only. In case any street vendors have no bank account, they may be given cash in hand with proper acknowledgment and certification by ward officer of the concerned ULB. This financial assistance may also be distributed by arranging camps in different locations of the ULBs by observing the principle of Social distance strictly. Any deviation to the matter will draw serious violation of Government Servant Conduct Rules.

The amount spend for the purpose will be recouped, for which funds are being placed separately. The Bank Account No. for the purpose of transfer of fund may be intimated forthwith through Email - sudaodisha1990@gmail.com.

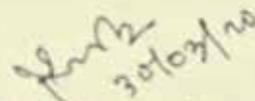
Yours faithfully,



D.M.A & Ex-Officio Addl. Secretary to Government.

Memo No. 8119 /HUD., Bhubaneswar, 30.3.2020

Copy forwarded to the Addl. Director, SUDA, Bhubaneswar for information and necessary action.



Deputy Secretary to Government

Fig 6 - "It has been decided for the Government to provide INR 3,000/- to each registered/identified Street Vendor out of the CM Relief Fund to cope with the lockdown due to COVID-19" - Govt. of Odisha, Housing and Urban Development Dept.- 28.03.2020

Analysis

Livelihood – Only Madhya Pradesh and Arunachal Pradesh have expressly clarified that there is no restriction on the sale of vegetables and fruits (considered essential items) during the lockdown and that these vendors have the right to practice their livelihood without interference from the police, as long as they maintain social distance guidelines and operate within the prescribed times.

Financial facilities (loans) - These are measures concerning low interest loans for small businesses and self employed persons. In Karnataka there was a specific order waiving off loans given to roadside vendors specifically while Kerala announced loans through the Kudumbashree organisation.

Cash Transfers – Only 10 out of 30 states and UT's have specifically announced cash transfers for street vendors along with other vulnerable groups to facilitate survival during the lockdown. These cash transfers range from 3,000 (Odisha and Bihar) to 1,000 (Uttar Pradesh, Haryana, Tamil Nadu, Rajasthan) for a period of one month and vary in the dispersal times. They are mostly to be done through direct bank transfers (DBT). One common thread between all of the cash transfer announcements is that these will only be done to 'registered' street vendors, which is where the serious lacunae lies. Registration depends on 2-5 year old surveys conducted by local authorities which have gross underestimations, incomplete procedures, unverified bank account numbers, no linkages between IDs and bank details etc., all of which proceeds to create massive problems for vulnerable street vendors who are already suffering through hunger and neglect.

Food and Social Security – Remains the same as in other population groups except the homeless.

MDM, women and Anganwadi workers - 15 states have announced measures specifically targeting vulnerable groups such as women patients, lactating and pregnant women, anganwadi workers and children dependant on the mid day meal schemes who will be suffering due to the closure of the schools.

Voices from the Ground

An analysis of the situation on the ground through first hand accounts, experts opinions and the testimonies of social workers, hawkers union workers along with street vendors provides a grim reality which is in stark contrast to the announcements being made from government offices. It is to be noted that some states have not released any such order because each state has not suffered in the same way from the coronavirus.

Mecanzy Dabre, Mumbai-

'The situation is extremely bad, so bad that we don't really know who to approach for help as mobility around the city is so difficult itself considering the rise in Covid cases', In Mumbai (and around most of Maharashtra) there has been no announcement of relief measures specifically for

street vendors. The ration provisions of 5 kgs per month (rice, dal) is limited only to the beneficiaries of the Garib Kalyan Yojana, a scheme which does not count street vendors as vulnerable groups. The lockdown in Maharashtra has turned progressively stricter and the residential complexes which used to allow vegetable and fruit vendors are now facing police restrictions, resulting in vendors' facing vandalism, police harassment and a drop in their livelihoods even though they are providing an essential service. The lesser the mobility for the hawkers, the lower their earnings.

Yakub Mohd, Udaipur-

Only 20%-30% of all vendors are registered under the municipalities lists. For example in Udaipur, out of 10,000 street vendors, only 3,068 are registered said a member of the Udaipur branch of the NHF. They are being provided meagre sums of 1,000 plus a promised second payment of 1,500 which does come as a source of relief. The stumbling block here, he says, is that the beneficiaries of this cash transfer cannot be beneficiaries of any other government scheme, be it related to women, PwD, rations etc. The ration cards that are providing government relief provisions are not applicable to normal ration cards, only to Antyodaya Anna Yojana or BPL cards which again leaves out a substantial population of daily wage earners, street vendors and other vulnerable households. Numerous NGOs and CSOs have stepped forward and provided relief measures in terms of food to vulnerable groups such as migrant labourers but he says they require a lot of help from the government in terms of relaxations, food and funding.

Sevillam, Coimbatore-

A TVC member in Coimbatore says that, under police supervision some vendors are still operational. In light of the lockdown, a new phenomena has emerged, of auto-drivers doubling up as mobile vegetable and fruit sellers in the absence of markets, as observed by one TVC member in Coimbatore. He also noticed that the Muslim majority areas in the city were under much higher police surveillance and patrolling than other areas, thereby restricting Muslim vendors even in this limited scenario. However, because of the hawkers movement in Tamil Nadu being strong and the local rules for street vendors according to the TVCs being implemented way back in 2015, the registration of the vendors is much better as compared to other states. Only a vendor ID card is required to avail the INR 1,000 relief cash transfer. Even then, there is still a reluctance of street vendors to come out to government offices to avail of this scheme as the lockdown measures have become extremely strict with the police not being sensitised to their plights or rights. He appeals to the government to announce welfare measures in a more comprehensive way, to enhance the measures themselves but also to embolden the deserving vulnerable families to come and avail of those relief measures.

Pratap Sahu, Bhubaneswar-

In Odisha, the estimated number of street vendors according to local experts is about 2 lakh, but the cash relief is only reaching 65,000 people. This discrepancy arises because of the faulty and

non-inclusive survey methodology. In the city of Bhubaneswar, he says that there are around 25,000 active street vendors but the survey only counts 12,000 and out of that almost 3,000 are not actual vendors. He says the beneficiary lists used to dole out emergency relief measures during Cyclone Fani are being used again, and these lists were inadequate then and are even more so now. The government must be given credit for providing three months ration to all ration card holders though, as most vulnerable groups are covered by the PDS network.

Subhadra, Raghubir Nagar, Delhi-

Subhadra is a street vendor and part of an organisation called SEWA that assists informal sector women workers get registered into government programs to avail relevant schemes. According to her, in Delhi, the ground situation with regards to rations is fairly positive with dry rations and cooked rations being provided widely. However she feels that even vegetable and fruit vendors are not able to earn enough money or operate in the same way, with the same freedom of mobility and because of the absence of weekly markets. Licensed street vendors registered with her organisation are also finding it difficult to get any sort of benefits from the government as some of them do not have ration cards. Staying at home does not do most vendors any good as a majority of them inhabit JJ clusters such as Raghubir Nagar with 8-10 people living in one room. She also brings to our notice that the majority of women vendors who relied solely on the weekly markets to sell shoes, clothes, dry fruits are facing unimaginable difficulties.

Kshetri Tama Devi, Imphal-

The head of a union of street vendors based in Imphal, Tama Devi is distraught with the government's response to the woes of the vendors during the lockdown. Imphal was a city with a bustling market and has always had their food and clothing cultures being carried on by vendors, she says. She questions the local authorities about not disbursing the social security fund under the NULM- Support to street vendors to help them cover their daily expenses at this crucial time, since they collect a 5% tax from all registered vendors regularly. She also advocates to the government to use the street vendors' union's lists to help in the identification and registration of the needy families of vendors. Even though Manipur does not have many covid cases, the officials still say that it will still be 3-4 weeks after the 3rd of May till they will allow the markets to resume operations. In the meantime vendors like Tama Devi are left with 5 kgs of ration for a month and no way to earn to cover additional daily expenses.

Miraj Mohd. and Kiran-

Both street vendors in posh localities in Delhi for more than 20 years say that they have not received any cash and have not been contacted by any government official. The local police station was organising two meals a day for them till the 14th of April but it has stopped since then. With two young girls and a wife on heavy medication, and his earnings taking a massive hit, Miraj

sees nothing but despair during the lockdown. He says, "people only come and promise us a survey and a registered vendor card just before elections and do not show up afterwards." Kiran also flagged concerns about a large number of regular street vendors not being registered and therefore not being eligible for welfare. She herself saw police personnel treating the vegetable vendors as criminals during the early days of the lockdown.

Ram Shankar Dwivedi, Allahabad-

The state of Uttar Pradesh follows the same pattern wherein the cash relief announced is taking into account a small portion of the vendor population. The surveys being conducted by the orders of the TVCs are woefully conducted, with discrepancies in numbers, areas surveyed, non linkages between bank accounts and Aadhar cards. He says these issues of difficulties in cash transfers would not have arisen if the surveys conducted in the past 2 years were proper. Registered vendors are not getting their INR 1,000 cash relief, let alone the majority of the vendors. He also adds that there is absolutely no help being provided on the ground from the local government authorities on the issue of provision of rations, even though they are in constant touch with local authorities who pay lip service.

Policy Recommendations

Immediate Measures

1. **Initiate temporary registration of street vendors** - With a small minority of street vendors registered, there is an urgent need to initiate temporary street vendors registration process. This is essential for the many reliefs, including the financial assistance and PDS relief for all street vendors. This can be accomplished on the basis of using existing surveys along with an open call for registration based on documentary proofs like slips, receipts and other means. This may be treated as temporary only later to be verified by TVCs in a post covid scenario.
2. **Notify street vendors selling fruits and vegetables as essential services** - As per the notifications of MoHUA on 3rd April 2020, all states be asked to notify fruit, vegetable and other daily needs vendors as essential services. Also notify law enforcement agencies to stop police harassment and eviction of such essential fruit and vegetable vendors during lockdowns.
3. **Stem increasing communalisation of vendors** - There have been many incidents reported of Muslim fruit and vegetable vendors (providing essential services) being physically harassed, not allowed to enter certain localities due to irrational and communal fears being stoked through social and mainstream media. There should be adequate protection for Muslim vendors, a dedicated police helpline setup to address grievances and clear government advisories should be released

from the Ministry of Home Affairs and Housing and Urban Affairs condemning all such incidents.

4. **Safety equipment for classified Street Vendors:** Street Vendors should be provided with safety gear, for the prevention of further diseases and for the purposes of maintaining cleanliness standards. Gloves, masks, sanitising kits, and other cleaning equipment should be provided to each street vendor or should be made available in public spaces for them to use. For the eventual upgradation and formalisation of the street vending practices, there must be state sponsored investment in the betterment of the thelas, rehris, informal dukaans and mobile carts of the vendor.
5. **Guidelines and Standard Operating Procedures (SOPs) for street vending** - Public guidelines, detailing the rules and guidelines to be maintained in marketplaces and how to deal with street vendors and related purchases during the COVID 19, should be drafted, printed and circulated widely so that every street vendor can display it on their stalls/carts. These public guidelines can relate to health and sanitary guidelines issued to the general public while interacting in a market area, such as cleanliness of the hands, cleanliness of surroundings, immediate responses in the event of disasters or lockdowns, general rules of engagement with street vendors in the context of a virus pandemic.
6. **Emergency cash relief of INR 10,000 to be provided to all street vendors, not just registered ones** - A minimum of of INR 10,000/- cash should be transferred directly to each street vendor in order for them and their families to survive for one month, to begin with. To be clear, this cash relief should not be viewed as a one-time payment. If this pandemic and the ensuing lockdown continues, this essential cash relief should continue correspondingly.

Medium Term Measures

7. **Facilitate street vendors delivering essential food items to homes** - In these extraordinary times, street vendors of fruits and vegetables provide last mile coverage that no app based formal services could, because of the informal networks created over the years. Therefore, it is in the economic interests of the street vendors and the medical and hygienic interests of the public at large if the government can facilitate local food delivery systems for these essential vendors. This can be in the form of providing an official database for each vendor where they can fill in their details, phone numbers, location, products. This database can then be shared digitally or via public messaging at the local levels to as many households as possible.
8. **Emergency loan measures for the street vendors** - The street vendors have used all their capital and savings during the lockdown. Many street vendors will be dependent on money lenders and other informal financial sources for loans to restart their business post the lockdown. An emergency loan measure be announced from the central government to help reinstate the street vendors their respective trades.

Long Term Measures

9. **Formalisation of street vendors through temporary registration and surveys** - The surveys mandated by the Street Vendors Act 2014 should be conducted in a comprehensive and inclusive manner. These surveys should be conducted by TVCs and officials who are always accompanied by a vendors local representative. The surveys should not only result in a rubber stamp slip as proof of being surveyed but a concrete system of identity establishment which includes the opening up of a bank account and linking it then and there with one's Aadhar card or any other ID card, while removing any past discrepancies. These surveys should be done every 2-3 years or as mandated in the SV Act 2014 or as per the local TVC.

10. **Reimagining of weekly/daily large markets for health safety** - The National Urban Livelihood Mission has earmarked large sums of money for various programmes that are conducted throughout the country. Programmes like training exercises, capacity building exercises and must be re-planned. In light of the Covid 19 pandemic, there may be many practices in world economies that will have to change or adapt to varying degrees of social distancing. Weekly wholesale markets until now have always been close knit, informal affairs involving interactions with large groups of people, vegetables, vehicles and animals. These practices may have to be reimagined and NULM can help in the preparation of the same.

11. **Inclusion of hawkers and street vendor unions in planning processes to facilitate widespread inclusive practices** - There are many grassroots organisations that have fought for the rights and inclusion of street vendors, their registration and other help in the recognition of street vendors. They should be included by local authorities, especially in urban areas, in plans to further the registration of vendors and to convey orders or relief measures to them. Their expertise and far reaching networks can help build more inclusive plans for future and current emergencies.

A woman wearing a red and white patterned headscarf, a red long-sleeved shirt, and orange pants is crouching in a large pile of garbage. She is holding a white plastic bag and appears to be sorting through the waste. The ground is covered with various types of trash, including plastic bags, food waste, and other debris. In the foreground, there are several buckets and containers, some of which are partially filled with waste. The overall scene depicts a person engaged in informal waste picking in a highly cluttered and unsanitary environment.

Informal Waste Pickers: Unacknowledged and Unprotected Frontline Workers

Photo credits - Akbar, Basti Suraksha March

Informal Waste Pickers: Unacknowledged and Unprotected Frontline Workers

Informal waste pickers

There are an estimated 1.5 million to 4 million waste pickers in India, who pick up, clean, sort and segregate recyclable waste and sell it further up the value chain¹⁸. They deal with 62 million tonnes of waste generated annually and recover 56% of India's recyclable waste¹⁹. The sector, growing at a fast pace, closely deals with solid, sewage, hazardous, wet, medical or even electronic waste and subsequently faces serious occupational hazards but yet provides huge environmental and public health benefits. It is to be noted that most waste pickers belong to the social and economic deprived caste and are already on the margins of existence. Many of the workers are very poor, with pregnant women, old parents and small children in their families. The women waste-pickers majorly sort and segregate the waste collected by men but their hard-labour intensive work remains as unpaid and unrecognised family labour.

The Solid Waste Management Rules, 2016 statutorily recognise the role of waste pickers in solid waste management, particularly Rule 11(c) thereof which provides that "state policies and strategies should acknowledge the primary role played by the informal sector of waste pickers, waste collectors and recycling industry in reducing waste and provide broad guidelines regarding integration of waste picker or informal waste collectors in the waste management system."²⁰ Solid waste management though controlled by the local bodies, is heavily dependent on informal waste pickers who recycle and segregate in the highly mismanaged waste management process. This implies that waste pickers are not "outside the system" but very much an integral and instrumental part of it as well as the waste management system of the nation but they still lack formal recognition and legal & social protection from their very own system. Thereby leaving many waste pickers outside of the social security spectrum. A study of waste pickers across the country revealed that among the surveyed, 89% of them had Aadhar card, 65% voter ID card, 50% ration card and about 58% of the waste pickers have bank account.²¹

COVID- 19 Pandemic and its effects on waste pickers

Due to the COVID- 19 pandemic and present lockdown situation, informal waste-pickers are playing a crucial role in our fight the pandemic as they are at the frontline of managing our waste and are extremely vulnerable to contracting this virus. Please note that informal waste pickers earn their daily income by selling dry waste and recyclables to scrap dealers but due to the ongoing crisis in the country, they are

¹⁸ Dandapani, Swetha, November 2017 Unpaid and undervalued, how India's waste pickers fight apathy to keep our cities clean; The News Minute
¹⁹ Bhaduri, Amita, April 2018 Down in the Dumps: The Tale of Delhi's Waste Pickers; The Wire

²⁰ Solid Waste Management Rules, 2016; Ministry of Housing and Urban Affairs, Press Information Bureau

²¹ Global Alliance of Waste Pickers, 2017 "Struggles and Victories: Waste Pickers on the Frontline. September 2016 – April 2017

forced to leave the collected waste at the shops/ dhalaos. Also, gathering, collecting and sorting what others throw away puts them at risk in this pandemic. Their work entails high exposure to germs and high proximity to other people – for example, waste pickers handle materials, including medical waste, that may be contaminated with coronavirus²². In situations where the Municipality and Resident Welfare Associations (RWAs) are not supporting them financially, they are not only losing their livelihood but in the absence of any other support, are spiralling into a situation of hunger and deprivation.

Government Circulars and Announcements for Waste Pickers

State	Food	Social Security	Livelihood Cash Transfer	Livelihood protection	Women and children specific
Andhra Pradesh	Partly may benefit	No	No	No	No
Arunachal Pradesh	Partly may benefit	No	No	No	No
Assam	Partly may benefit	No	No	No	Partly may benefit
Bihar	Partly may benefit	No	No	No	Partly may benefit
Chhattisgarh	Yes	No	No	No	Partly may benefit
Delhi	Partly may benefit	Partly may benefit	No	No	No
Goa	No	No	No	No	Partly may benefit
Gujarat	Partly may benefit	Partly may benefit	No	No	Partly may benefit
Haryana	Partly may benefit	No	No	No	Partly may benefit
Himachal Pradesh	Partly may benefit	Partly may benefit	No	No	No
Jharkhand	Partly may benefit	No	No	No	Partly may benefit
Karnataka	Partly may benefit	Partly may benefit	No	No	No
Kerala	Partly may benefit	Partly may benefit	No	No	Partly may benefit
Madhya Pradesh	Partly may benefit	Partly may benefit	No	No	Partly may benefit
Maharashtra	Partly may benefit	Partly may benefit	No	No	Partly may benefit
Manipur	No	No	No	No	No
Meghalaya	No	Partly may benefit	No	No	No
Mizoram	Partly may benefit	No	No	No	No
Nagaland	No	No	No	No	No
Odisha	Partly may benefit	Partly may benefit	No	No	Partly may benefit
Punjab	Partly may benefit	Partly may benefit	No	No	No
Rajasthan	Partly may benefit	Partly may benefit	No	No	Partly may benefit
Sikkim	Partly may benefit	No	No	No	No
Tamil Nadu	Partly may benefit	Partly may benefit	No	No	Partly may benefit
Telangana	Partly may benefit	Partly may benefit	No	No	Partly may benefit
Tripura	No	No	No	No	No
Uttar Pradesh	Partly may benefit	Partly may benefit	No	No	No
Uttarakhand	No	No	No	No	No
West Bengal	Partly may benefit	Partly may benefit	No	No	Partly may benefit

Legend - Yes  No  Partly may benefit 

Table 5 - Government Circulars and Announcements for Waste Pickers

²² Women in Informal Employment: Globalizing and Organizing, Waste pickers: Essential service providers at high-risk

Analysis

Food and Social Security - Remains the same as in other population groups except the homeless.

Cash transfer- States have taken initiatives for BPL families, daily wage labourers, construction workers and street vendors. No state has mentioned waste pickers in this. If the Government would have made this immediate cash transfer to include informal waste pickers in the list, it will add some value to the relief.

Livelihood/ registration- No State has recognised or issued any circular regarding the waste pickers' livelihood and this is keeping them away from the livelihood benefits. Only in Raipur, the DM announced that waste pickers will be provided with ration. The lack of consideration towards the inclusion of this particular livelihood, makes the initiatives/ schemes of government deficient.

Health and protection- Many states are transferring the MDM amount in students' bank accounts. Lactating and pregnant women are getting assistance from the government initiatives. Children under the age of 6 are also getting incentives like cooked food. Such basic and vital facilities for women and children should have been planned and implemented in all the states without asking for proof.



Fig 7 - There have been no orders regarding the welfare of waste pickers during the lockdown except an advisory from the Chhattisgarh government

Voices from the Ground

Devi, Udaipur, Rajasthan -

For Devi, the Pandemic situation has become very difficult as she cannot sell the waste due to the lockdown, and hence, there is no income and no cash at home. The family including her children are sleeping hungry at night because they can afford just one meal a day. There are days when

she gets cooked food and dry ration because of the NGOs initiatives but there is no everyday assurance and guarantee of that. She does not see any ray of hope from the government initiatives because she doesn't have ID cards and documents with her. People are talking about how the Government is providing cash relief of Rs 500 but then Devi cannot see a single Government official to visit her basti and then she wonders how they will even transfer the money when Devi and people in her neighbourhood do not have bank accounts.

Jourubhai Sarniya, Ahmedabad-

Jourubhai, for the first time, heard about this disease from a newspaper and since then there is no work and earning. His family is dependent on his savings which is not enough for a family of five members. According to him, since he had a ration card, he got ration and NGOs are also working very hard around his place and lately he got some cash relief also through Jan Dhan Yojana. But he is still scared because for him, it's the 'charity' work. Only his own work can give him the sense of confidence and assurance.

Rahees Khan, Delhi-

Rahees Khan feels that currently, the major necessity is not just food but also cash as many are having problems with gas connections and the basic needs of children and women in the family. His mother got Rs 500 in her bank account but they cannot withdraw it because the bank is 10 kms away from his place and he raised a very important question from the Government that till when people will be dependent on this one-time transfer of Rs 500. He is frightened because the police is humiliating and beating up poor who are stepping out and this further leads to more discrimination

Ajay, Madhya Pradesh-

Ajay says that his family does not have any support from the Government. The whole support right now is being given by NGOs and nobody knows how long it is going to go. The people in his neighbourhood are in their houses and no one has any idea of how they are going to manage the whole situation of pandemic. The people hoarded in the beginning but now everybody is out of ration and cash. This is a serious problem especially for people like Ajay who are without ration cards as the Government is not providing ration to them.

Dharmender, Lokadhikar, Delhi-

According to Dharmender of Lok Adhikar, many waste pickers in Delhi do not have Aadhar card, ration cards and other documents because of which they are unable to access the facility of ration, income transfer etc. The hunger relief centres in Delhi are not everywhere and especially at the waste pickers' bastis which do not have such vacant halls/ schools/ centres. If you want to eat, you have to travel a lot and this present situation does not allow us that. The waste pickers

are without cash, food and basic amenities right now because of no legal and social protection and recognition from the Government.

Indha Mazhoo, Hasirudala, Bengaluru -

Indha says that for both the relief and recovery processes, we have to start everything from scratch as we cannot see any market and protection for waste pickers in the near future. They are the most vulnerable section of the urban poor today. Now, since even the employers and NGOs are running out of cash, only the emergency support from State and Local Government can help us survive this.

Policy Recommendations

Immediate Measures

- 1. Categorising informal waste pickers as Essential Service Providers-** It cannot be denied that the informal waste pickers are at the frontline of defence against the spread of coronavirus. Just like healthcare and sanitation workers, they also deserve special support and protection from the central and state government. Hence, the government must formally recognise the work and contribution of informal waste pickers and must include them in the list of essential service providers.
- 2. Ensuring emergency relief income-** The state needs to ensure the minimum income support to informal waste pickers. For this, a list can be prepared with the help of Civil Society Organisations (CSOs), unions, Self Help Groups (SHG) and Resident Welfare Associations (RWA) working with informal waste pickers. Besides this, a government circular must be issued to all RWAs making it compulsory to ensure weekly and monthly payments for waste pickers. Along with this, an immediate cash transfer of INR 10,000 should be done by all local and state bodies.
- 3. Provision of safety equipment for protection-** Waste pickers must be provided with the necessary personal protective equipment (PPE) like protective gear for work (masks, gloves, and boots) and sanitation kits (soap and sanitiser), towels. This should also include a robust mechanism of changing gloves and masks regularly so that the waste pickers do not get contaminated with the virus.
- 4. Free distribution of dry ration-** Dry ration should be provided to waste picker families regardless of having ration cards and other documents such as Aadhar. For this, a list can be prepared with the help of CSOs, NGOs, unions, SHGs and RWAs connected with informal waste pickers. Further, due to lack of work, a lot of them have no money to buy cooking fuel. We recommend that based on their existing identity documents, they should be included in Pradhan Mantri Ujjwala Yojana, so that they can get gas cylinders for cooking at a subsidised price.

5. **Covering health insurance-** Informal waste pickers should be recognised as health workers and all waste-pickers and informal waste collectors, as well as the sanitation workers, and should be included in the INR 50 Lakh insurance cover programme rolled out for the healthcare workers. The eligibility for inclusion can be based on the occupational identity cards issued by CSOs, RWAs, NGOs, SHGs and unions. Regular and free check-up should be arranged and set up by Government health initiatives such as the Mohalla Clinic” for screening and treatment purposes.
6. **Provision of basic amenities-** Focus must also be on basic services like access to clean drinking water, toilet services, and sanitary napkins. These services should be provided free of cost, and more frequently/24x7 for waste picker communities. Provide appropriate numbers of hand washing stations and make sanitiser available throughout the workplaces and in public spaces.
7. **Formation of statutory guidelines and Standard Operating Procedures (SOPs) for waste pickers-** The Municipal Authorities should develop guidelines for waste pickers to help prevent spread of the disease. These should include information for awareness and guidelines regarding the handling and segregation of waste at source by waste generators and households. Also, the safety and precautions to be ensured while carrying out waste picking.

Medium Term Measures

8. **Provide rental security-** Waste pickers mostly live on rent and since their livelihood is under major threat, rent security for their house, as well as godown – where sorting and storage of waste is carried out, must be ensured. Apart from this, in the long term the municipality should provide a storage space for waste pickers to keep their dry waste.
9. **Provision of temporary identity proof and documents-** The Delhi Government has launched an ‘Application for temporary ration e-coupons’ on its website where it is mandatory to have an Aadhar card, but many waste pickers do not have that. Therefore, we demand that waste pickers without the necessary identity proof should be able to access this service, through temporary identity proof and documents. These identity cards should be considered valid until the lockdown ends and should serve as sufficient proof for access to all benefits provided by the government.
10. **No evictions and stigmatisation-** There must be an immediate suspension of all eviction, demolitions, penalising, and adding to this, the government should give the assurance to all waste pickers that no assault and humiliation regarding their livelihood would happen.

Long Term Measures

11. **The post lockdown planning and formalisation of informal waste picker-** Post the lockdown, the temporary identity proofs of waste pickers be verified and thereby be counted as part of the system. Local level collection, segregation and management of waste should be handed over to

waste pickers completely. The workers may be organised as SHGs and supported by loans and financial assistance. All the ULBs should take the charge and responsibility of buying recyclable waste and other by products of segregation.



**Enduring through the pandemic,
a struggle for Domestic workers**

Photo credits - NIRMANA Organisation

Enduring through the pandemic, a struggle for Domestic workers

Domestic workers in India

According to data provided by the International Labour Organisation, there are over five crore domestic workers in India, most of whom are women. Nearly 90% of domestic workers in India are women or children, ranging from ages 12 to 75 and it is estimated that 25% among them are below the age of 14. They are engaged in tasks such as cooking, washing, and cleaning, which are traditionally seen as women's work and considered unproductive in nature. In India, the stigma linked to domestic work is heightened by the caste system, since tasks such as cleaning and sweeping are associated with the people belonging to the 'so-called' low castes.²³ There are widespread reports of domestic workers in India being underpaid, unregulated, overworked and abused by their employers.

Domestic work in India remains without any legal and social protection and the major reason for that is they are not recognised and registered for any Government welfare schemes, policies and initiatives. There is no minimum wage, fixed working hours, legal contractual relationship with employers, social security measures and safety assurance from the government and this further leads to exploitation and manipulation of domestic workers. The state governments of Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Karnataka, Kerala, Maharashtra, Odisha, Rajasthan and Tamil Nadu have taken several steps to improve the working conditions of domestic workers and to provide access to social security schemes. Many states including Andhra Pradesh, Bihar, Jharkhand, Karnataka, Kerala, Odisha, and Rajasthan have introduced minimum wages for domestic workers. The state governments of Kerala, Maharashtra, Tamil Nadu have also constituted Welfare Boards for domestic workers who are able to avail of welfare benefits by registering with these Boards. However, despite these efforts, a large majority of domestic workers remain outside the purview of labour laws even today.²⁴

Effects of COVID- 19 pandemic on Domestic workers

Due to the COVID- 19 pandemic and lockdown situation, Domestic helpers are struggling to meet ends as they can no longer work and this is resulting in job loss fear and pay cuts as well. Domestic workers have to face aggravated challenges of lockdown, apart from the deeply rooted issues of the domestic work sector. The International Labour Organization study in 2015 estimates that 11.5 million of them are migrant workers which means that this large populations is stranded and staying in cities has become a survival challenge for them. This situation is not just making them lose their regular income but also this way, the responsibility of feeding the family and paying bills is becoming distressing. Besides this, domestic workers have no savings to utilise during crisis or no-work period.²⁵ Many domestic worker unions reports that the

²³ National Domestic Workers' Movement, Research publication 'Issues of domestic workers in India'

²⁴ United Nations in India, Rights of Domestic workers

²⁵ Joseph, Sophy, April 2020 Lockdown In Poverty: Orphaned By Economy, Women Domestic Workers Struggle To Make Ends Meet; Outlook

majority of employers have not made payment for the duration of lockdown. When domestic workers ask for wages for the during the lockdown, they are plainly denied and ask to leave the job.

The question of how they are surviving in this miserable situation should be a major challenge for the central as well state governments and therefore, their income, food and families should be focused on with great responsibility and care.

Government Circulars and Announcements for Domestic Workers during the Lockdown

State	Food	Social Security	Livelihood Cash Transfer	Livelihood protection	Women and children specific
Andhra Pradesh	Partly may benefit	No	No	No	No
Arunachal Pradesh	Partly may benefit	No	No	No	No
Assam	Partly may benefit	No	No	No	Partly may benefit
Bihar	Partly may benefit	No	No	No	Partly may benefit
Chhattisgarh	Partly may benefit	No	No	No	Partly may benefit
Delhi	Partly may benefit	No	No	No	No
Goa	No	No	No	No	Partly may benefit
Gujarat	Partly may benefit	No	No	No	Partly may benefit
Haryana	Partly may benefit	No	No	No	Partly may benefit
Himachal Pradesh	Partly may benefit	No	No	No	No
Jharkhand	Partly may benefit	No	No	No	Partly may benefit
Karnataka	Partly may benefit	No	No	No	No
Kerala	Partly may benefit	No	No	No	Partly may benefit
Madhya Pradesh	Partly may benefit	No	No	No	Partly may benefit
Maharashtra	Partly may benefit	No	No	No	Partly may benefit
Manipur	No	No	No	No	No
Meghalaya	No	Partly may benefit	No	Yes	No
Mizoram	Partly may benefit	No	No	No	No
Nagaland	No	No	No	No	No
Odisha	Partly may benefit	No	No	No	Partly may benefit
Punjab	Partly may benefit	No	No	No	No
Rajasthan	Partly may benefit	No	No	No	Partly may benefit
Sikkim	Partly may benefit	No	No	No	No
Tamil Nadu	Partly may benefit	No	No	No	Partly may benefit
Telangana	Partly may benefit	No	No	No	Partly may benefit
Tripura	No	No	No	No	No
Uttar Pradesh	Partly may benefit	No	No	No	No
Uttarakhand	No	No	No	No	No
West Bengal	Partly may benefit	No	No	No	Partly may benefit

Legend - Yes  No  Partly may benefit 

Table 6 - Government Circulars and Announcements for Domestic Workers during the Lockdown

**GOVERNMENT OF MEGHALAYA
OFFICE OF THE LABOUR COMMISSIONER
MEGHALAYA :::: SHILLONG**

No.LC/C19/18/20/1287

Dated Shillong, the 2nd April, 2020

ORDER

It has come to notice that during the period of lockdown imposed by the State Government for prevention of community spread of COVID-19 (coronavirus), domestic workers are being evicted by employers and left shelterless without food.

Notice is hereby given to all employers that they are to refrain from eviction of domestic workers during the lockdown period.

Any violation of the Order will attract penal action as per law.

MIPR No 0006
Dt. 2/4/2020

Sd/-
(T.G. Momin)
Labour Commissioner,
Meghalaya, Shillong.

Fig 8 - Meghalaya Govt. order to prohibit any domestic worker being evicted or left unemployed by their employers

Analysis

Cash transfer- States like Andhra Pradesh, Arunachal Pradesh, Bihar, Rajasthan, Tamil Nadu, and Telangana took an initiative where the people received a direct cash transfer. This initiative is for people who have legal documents like BPL and PAN cards. Several states have announced this benefit for registered street vendors and construction workers but domestic workers are absent from such initiatives.

Livelihood- Meghalaya Government has announced that employers to refrain from eviction of domestic workers during lockdown. Violation will result in penal action. This kind of assurance is a good start for the protection of domestic workers' livelihood.

Food and Social Security - Remains the same as in other population groups except the homeless.

Health and protection- Many states are providing transferring the MDM amount in students' bank accounts. Lactating and pregnant women are getting assistance from the government initiatives. Children under the age of 6 are also getting incentives like cooked food. As the sector is dominated by a larger portion of women, the support is needed and imperative for the livelihood.

Voices from the Ground

Mamta, Delhi-

Mamta is a migrant domestic worker and has been working in Delhi for 12 years. Due to the lockdown, this is the first time in these 12 years that she will not be able to send cash to her children who are in the village of West Bengal. Some employers refused to give her the dues and others are asking her to come and get the income but she cannot step out of the house because of the fear of police. Her application for a temporary ration card e- coupon is pending since its very beginning and therefore, she is not be able to get any benefit from the government too.

Vijay, Mumbai, Maharashtra -

Vijay is working in the city where the Covid- 19 cases are increasing rapidly because of which he is forced to sit at home without any assurance from the government. He is not able to collect his income from his employers due to the lockdown as according to him, his employers agreed to pay him his dues. Vijay thinks that after the lockdown, many of his friends would lose their jobs because the attitude and mindset of people have changed towards the domestic workers and this way it is going to be a major crisis for him and his friends. Government is mentioning 'Mazdoors' and daily wage labourers again and again but Vijay is not sure if they include the domestic worker sector in it or not. He has taken some advance cash from his relatives but he is not sure if he will be able to pay them back. He feels that if he had been at home, this situation would be much more convenient and smoother for him.

Shaheen, Muzaffarnagar, Uttar Pradesh -

Shaheen's family has not received any ration or income from the government or her employers or any NGO so far. She has some savings and the family of seven is surviving on that. There are only two members who are earning and currently, both of them do not have any source of income. Shaheen's employers have clearly refused to give her any wage or advance. Shaheen is going through mental and physical distress and has fainted a number of times because of starvation. Her medical expenses are consuming most her savings and the family is still waiting for some relief measures from the government.

Nanda Chetri, Ahmedabad -

For the last one month she is in stress as her income has vanished completely. She used to do domestic work in 14 houses in different shifts but now the situation is that her livelihood is shut. All her identity proofs and documents are of Nepal including her ration card. Therefore, she does not think that she can have access to any basic provision/ benefit of the Government. One of her employers had given her some ration in the beginning of the month and now she is still surviving on that. Her distant cousin used to support her by sending money but due to lockdown Nanda cannot meet him. Her other employers had not given her any income even after knowing her situation.

Chinmayee, NIRMANA -

In the coming time, we are going to see the cases of malnourishment, drop outs, physical/ mental violence, suicides, homelessness even more. People do not have essentials and this situation will gradually lead the country to poverty and economic distress. Health, hygiene and sanitation will also be compromised. The major fear is that the cases of untouchability, violence and stigmatisation will also take place. If this continues, then without a doubt, it will affect the domestic workers the most who face the social as well as gender discrimination on everyday basis and this situation is only going to make it worse.

Sister Christi, National Domestic Workers Movement (NDWM) -

NDWM submitted a letter to the Maharashtra Government demanding the immediate cash transfer in the bank accounts of Domestic workers. Till now, there is no legal and social recognition or protection from the Government. The migrant workers are stranded and highly dependent on the NGO initiatives. The category of essential services is highly male dominated and the role of women as a caregiver is just lost somewhere.

Policy Recommendations

Immediate Measures

- 1. Identification of all domestic workers-** This should be done regardless of their registration and regularisation. With the help of this, they will be able to avail the benefit and relief schemes that the Government is presently working on. On April 13, the Maharashtra government asked all cooperative housing societies in the state to collect data on domestic workers employed by residents for enrolment in a pension scheme. Similarly, the initiatives to identify and recognise the domestic workers can be taken with the help of RWAs, NGOs, SHGs and Domestic workers unions. Special focus should be on the undocumented migrant domestic workers.
- 2. Free distribution of dry ration-** Dry ration should be provided to domestic workers families regardless of having ration cards and other documents such as Aadhar. For this, a list can be prepared with the help of CSOs, unions, SHGs, NGOs and RWAs connected with domestic workers. Further, due to lack of work, a lot of them have no money to buy cooking fuel. We recommend that based on their existing identity documents, they should be included in Pradhan Mantri Ujjwala Yojana, so that they can get gas cylinders for cooking at a subsidised price. The Government needs to ensure the establishment of community kitchens in the areas where most of the domestic workers reside. We also suggest Home delivery food with high nutritive value for children. Following Kerala's announcement, several states have announced this, other states can emulate the same model.

3. **Protect the wages and incomes-** The state needs to ensure the minimum income to domestic workers. For this, a list can be prepared with the help of CSOs, NGOs, SHGs, Unions and RWAs working with informal domestic workers. Besides this, a government circular must be issued to all RWAs making it compulsory to ensure weekly and monthly payments for domestic workers. Along with this, an immediate cash transfer of INR 10,000 should be done by all local and State bodies.
4. **Provision of basic health, hygiene and basic amenities for women domestic workers -** Focus must also be on basic services like access to free and clean drinking water, toilet services, and sanitary napkins. These services should be provided free of cost, and more frequently/24x7 for domestic workers' communities. Establishment of appropriate numbers of hand washing stations and make sanitiser available throughout the public spaces must be ensured. Domestic workers must be provided with the necessary protective equipment like masks, gloves, soap, sanitiser and towels.
5. **Re - constitute welfare boards for domestic workers across states -** States that have Domestic workers' welfare boards must publicise and implement the schemes and relief measures for Domestic workers. This will include the social security as well as the livelihood protection measures. The board should also be responsible for monitoring and evaluation, ensuring PDS registration, pension, loan security etc. It should have members from different groups such as CSOs, Government Representatives, representatives from civic agencies etc.

Medium Term Measures

6. **Registration of domestic workers -** We urge that all domestic workers be given the status of a worker. All the domestic workers should be given recognition and registration through ID cards. With this, separate welfare policies and schemes should be introduced. In every state, a welfare board should be set up for the welfare of the domestic worker. With this, the provision of social security benefits like loan, pension, PDS registration should also be made available to all the domestic workers and should be mandated throughout the state.
7. **Formation of statutory guidelines and programs-** The Local and State body authorities should develop and issue the guidelines for RWAs and employers to help not to spread the stigma and discrimination against the domestic workers. Social messaging regarding the pandemic and relief schemes/ programs should be spread with the involvement of NGOs, SHGs and unions. And after the lockdown, we should include the training programs on general preventive measures for the whole workforce and provide relevant health and safety information, instruction and training, including on COVID-19.
8. **Formation of legal agreements-** To give the domestic worker, a legal protection, the government must ensure the sustainability of livelihood. Therefore, a legal contract must be signed where the termination of any domestic worker by the employer and RWA is prohibited. No one can fire the domestic worker during and post lockdown. This should also have a special mention of fixed

Where do the Homeless go during the Lockdown?



Where do the Homeless go during the Lockdown?

Homelessness in India

According to the Census 2011, there are 1.77 million homeless people in India.²⁶ It is important to point out that the Census defines homeless as people who are 'living in the open without any shelter over their head'²⁷, so the real number might be much higher. It is widely believed that the census numbers are a gross underestimate²⁸, and the Supreme Court estimated that 1% of urban India is homeless and require state support for shelter.

Understanding the Homeless – CityMakers²⁹

Homeless constitute a diverse group, but unfortunately, are often identified by a singular identity. Multiple studies confirm a strong caste correlation for homelessness on the streets. One study shows that Dalits constitute 36% and the Adivasis constitute 23% of the surveyed sample, way above the national average. The Bahujan Classes formed 21% of the homeless. Most of the homeless population (60%) were born in the same city, the survey showed.³⁰ This indicates the intergenerational cycle of urban poverty, thereby breaking the stereotypes of homeless as transitory migrants. Further data reveals that 82% of the homeless are part of the working population, thereby called in the civil society space as CityMakers³¹ – recognising the population's contributions in the city's economy.

Bereft of Shelter and basic Human Rights – The lives of Homeless in our Cities

Though present in all major cities, the homeless remain out of state welfare supports and safety nets. Recent studies have pointed that only 37.3 % homeless have access to ration card, 27.7% access to bank account, 2.9% caste certificate, 0.9% labour card and almost 30% homeless does not have any identification document. Similarly in PDS, only 18% of the homeless populations are availing entitlements, only 38.3% populations have access to health facilities, in ICDS only 0.9% of homeless populations are getting these benefits. More than 78% of the homeless are not receiving any entitlements from the Government.

A crisis of health safety and hunger³² during COVID pandemic

26 Census 2011 data; Web - <https://www.census2011.co.in/houseless.php>

27 Census 2011 data; Web - http://censusindia.gov.in/Data_Products/Data_Highlights/Data_Highlights_link/concepts_def_hh.pdf

28 Singh, Indu Prakash. 2016 & 2017. "CityMakers: Tribulations & Triumphs -- A Saga of Heroic Struggle of the Homeless Residents of India." New Delhi: Mukul Prakashan, pp.27-39.

29 Tingal, Dhananjay and Pande, Vijay; March 2012, "The Unsung CityMakers"; IGSSS Publications; see note 3 as well

30 Yadav, Sonu and Unni, Aravind; May 2019; "Enabling Inclusive City for the Homeless"; IGSSS and OFFER Publications.

31 Singh, ibid. pp. xxxix-xl.

32 Parulkar, Ashwin and Naik, Mukta, March 2020, A Crisis of Hunger: a ground report on the repercussions of COVID-19 related lockdown on Delhi's vulnerable populations; CPR Publications.

During the lockdown, it seems that the Centre and States largely turned a blind eye to the homeless. Calls for “staying at home” and maintaining social distancing ignore the plight of the homeless who not have a home and cannot maintain one meter of distance in the overcrowded shelter provided by the state. Without any livelihoods and income, their survival itself is at risk. The current political panorama of the government in dealing with the COVID-19 infection seems to have failed in addressing this population, especially their safety and nutrition.

Government Circulars and Advisories for Homeless Persons during the Lockdown

State	Food	Sanitation	Social Security	Cash Transfer	Awareness	Health Facilities	Livelihood	New Shelter
Andhra Pradesh	Yes	Yes	Partly may benefit	No	Yes	Yes	No	Yes
Arunachal Pradesh	Yes	No	Partly may benefit	No	No	No	No	Yes
Assam	No							
Bihar	Yes	No	Partly may benefit	No	No	No	No	Yes
Chhattisgarh	Yes	No						
Delhi	Yes	Yes	Partly may benefit	No	Yes	Yes	No	Yes
Goa	No							
Gujarat	Partly may benefit	No						
Haryana	Partly may benefit	No	Partly may benefit	No	No	No	No	No
Himachal Pradesh	Partly may benefit	No	Partly may benefit	No	No	No	No	No
Jharkhand	Yes	No						
Karnataka	Yes	Yes	No	No	Yes	Yes	No	No
Kerala	Yes	Partly may benefit	Yes	Partly may benefit	Partly may benefit	Partly may benefit	Partly may benefit	Yes
Madhya Pradesh	Yes	No	Partly may benefit	No	No	No	No	No
Maharashtra	Yes	Yes	Partly may benefit	No	Yes	Yes	Partly may benefit	Partly may benefit
Manipur	No	No	No	No	No	No	Yes	No
Meghalaya	No	No	Partly may benefit	No	No	No	No	No
Mizoram	No							
Nagaland	No							
Odisha	Yes	No	Partly may benefit	No	No	No	No	No
Punjab	No	No	Partly may benefit	No	No	No	No	No
Rajasthan	Yes	No	Partly may benefit	No	No	No	No	No
Sikkim	Partly may benefit	No						
Tamil Nadu	Partly may benefit	No	Partly may benefit	No	No	No	No	No
Telangana	No	No	Partly may benefit	No	No	No	No	No
Tripura	Yes	No						
Uttar Pradesh	Partly may benefit	No						
Uttarakhand	No							
West Bengal	Partly may benefit	No						

Legend - Yes No Partly may benefit

Table 7 - Government Circulars and Advisories for Homeless Persons during the Lockdown

**DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVT. OF NCT OF DELHI
OFFICE OF THE MEMBER EXPERT
PUNARWAS BHAWAN, I.P. ESTATE, NEW DELHI-110002**

Press release

A meeting was held under the Chairmanship of CEO, DUSIB on 19.03.2020 in Conference Hall, Punarwas Bhawan, I.P. Estate, New Delhi-110002.

In the meeting it was decided that Safety measure may be attempted for safe guard of the Homeless People residing in Shelters Home as Corona virus spreading in Delhi. The following steps are desirable to be taken by the department to fight against the disease through the SMAs:-

1. The SMAs should arrange voluntary lockdown in each and every Shelter Home advising people not to go out without any emergency.
2. The Shelter Homes in North, East and Central Delhi Should be special Containment shelter made available for suspected persons residing in Shelter. Department of health will assist SMAs to provide all basic facilities. A letter in this regard sent to health department.
3. As most of people are unorganised sector worker and losing job it is suggested that lunch and Dinner may be provided to the homeless people residing in Shelter Homes so that they safely stayed in Shelter Homes.
4. Distribution of Face Masks to those Homeless People found ill at all DUSIB Shelter Homes (220 Nos.)
5. Arrangement of Hand Sanitizer Liquid at all DUSIB Shelter Homes for the Homeless People and care takers etc.
6. Awareness programmes are being held by SMAs at all Shelter Homes for the homeless people for taking precautions to contain spread of disease.
7. Adequate arrangement of soaps for hand washing & other materials for maintaining proper hygiene at all Shelter Homes.
8. Extending visits of Shelter Homes by Medical Teams of Health Deptt. Of Delhi Govt. upto 15.04.2020.
9. Cleanliness of floors and vicinity area of Shelter Homes is being maintained by SMAs at all Shelter Homes.

As the Covid-19 spreading speedily in Delhi as well as in the country, the above suggestions are recommended for consideration/appraisal of the CEO, DUSIB for safeguard of the life of the people residing in Shelter Homes.

(Bipin Kumar Rai)
Member, DUSIB
9999046469

Fig 9 - The Delhi Government orders for the homeless during the lockdown were quite comprehensive, and much before the Central Government Circular. This was released by a department dedicated to the homeless issue - DUSIB (Delhi Urban Shelter Improvement Board) under the Govt of NCT of Delhi.

Analysis

In the 28 states and one UT considered, around 16 states (Assam, Goa, Gujarat, Haryana, Himachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Punjab, Sikkim, Tamil Nadu, Telangana, Uttar Pradesh, Uttarakhand, West Bengal) have no mention of homeless in their general circulars. It is surprising that states which have a fairly high population of homeless have chosen to not recognise them, such as Punjab, Haryana, West Bengal, Uttar Pradesh and Gujarat. Most of the orders mentioning the homeless or relevant to them are primarily focused on provision of food and ration. Some are also talking about social security and shelter needs of the homeless. But with the lack of documents and identity proofs, most of the homeless remain out of the safety net being provided by the relief measures.

Provisioning of Food and Ration has been the prime focus until now. Seven states ensure some form of provision of ration for 'card holders,' AAY card holders and PHH (Priority HouseHold) card holders which might benefit the homeless. Additionally government of Andhra Pradesh, Arunachal Pradesh, Bihar, Chhattisgarh, Delhi, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, and Tripura mention about the providing meals to the homeless population, which was welcomed by the civil society and homeless themselves.

In improving Access to Sanitation- Andhra Pradesh, Delhi, Karnataka, and Maharashtra are the only states mentioning about providing sanitation facilities comprising of sanitisers, Hand wash, Face mask and cleaning of shelters. Maharashtra government takes a step ahead and makes an important mention of adequate water supply to be ensured. Kerala Government has mentioned it as a general measure.

For Raising Awareness- Government of Andhra Pradesh, Delhi, Karnataka, Maharashtra, mention about provision of awareness on COVID 19 for homeless in shelters.

Health – Only Maharashtra and Delhi Government talks about regular health check-ups for homeless Suspicious cases to be consulted with the doctor immediately. The other two states Karnataka and Andhra Pradesh mention about facility of medicinal kit being provided. Kerala Government has mentioned it as a general measure.

Social Security – Only Kerala Government mentions about bringing homeless under safety net provisions. 14 states have released circulars prioritising the pension funds, cash relief and social security measures eg. That all eligible BPL families shall receive approximately INR 1,000 pension fund/cash relief measures or other forms of social security, like ensuring non termination of jobs during the lockdown. The procedures to avail the same may or may not benefit the homeless.

Livelihood – No state has any mention on livelihood restoration for the homeless.

New shelters – Five states focus on identifying new shelters for homeless. Arunachal Pradesh

Government talks about new temporary shelter to be open for homeless. Bihar Government has allotted 150 Disaster relief centre for shelter less. Kerala Government has made a call on identify shelters to accommodate homeless. Delhi has opened Schools as shelters for the homeless and migrants, in three districts of Delhi (North, West, and East).

Voices from the Ground

Nasim, JJ hospital, Mumbai, Maharashtra -

Nasim lives at JJ HOSPITAL. For last one month she is surviving on the ration kit provided by the Pehchan Organisation. She is a domestic worker. But for last one month she is not going for work; employer asked her not to come. She says, "Lock down has created so much problem. Her children re not going to school. She has no cash and after lock down what will be situation only God knows. She need to access drinking water, but now people of chawl hesitate to allow her fill water. She also said that she has to pay for public toilet but she has no cash. It is very difficult situation. She refused to shift in shelter. Because she feels that she will be thrown out of shelter once lockdown gets over. She wants a house.

Ramu Bhai, Mumbai, Maharashtra -

Ramu is from Mount Abu. He makes bamboo basket. For past one month he is not even earning a single rupees. He said currently he is living near Mahim. He is getting ration kits. He said he is tired of eating Khichdi but for survival he has to eat. But, he is mostly worried about his livelihood.

Manju, Malahi Papdi, Patna -

Manju is a sector expert working in Patna and she gave a scathing testimony of what is missing in the relief measures. She says "There is dry ration distribution from the government of Bihar but the ration does not reach the majority of the needy. Out of 20 families, only 4 to 7 family gets the ration. The quantity also differs from time to time, ranging from 2.5kg rice, 2.5kg atta and 1kg daal to daal as little as 250gm"

"Only 10-15 individuals have received Rs. 500 each in their Jan Dhan account, leaving out thousands. Homeless get beaten up by the police during the ration or food distribution so as to ensure they maintain the distance but the people who haven't eaten for days how are left in desperation, not caring for social distancing rules." Manju said. She also adds that none of the homeless persons have gotten masks, soaps or sanitiser from the government nor has the government run any awareness campaign delineating rules and guidelines. There is no special attention given to vulnerable groups such as women and children. Manju also brings to our notice that the community is more prone to be infected as they had recently suffered from the Bihar flood.

Brijesh Arya, Maharashtra, Homeless Collective & Pehchaan -

Mr. Arya, a sector expert of homelessness in Mumbai says that, In upcoming 6 months the

situation of livelihood among homeless is going to be very difficult. Most of the homeless people are domestic workers, daily wage labourers. Even after lockdown these people might not resume their livelihoods. He also warned of the monsoon coming in the next months and said that will add to the difficulties. He emphasises the need for advocacy for clean tap water for the homeless community as there is huge water crisis for homeless people. He raised concerns about the health issues among homeless persons as the immune system of these people will weaken if they are not given good quality of food. The khichdi provided by the municipalities is of deplorable quality and this needs to be addressed. Post the lockdown the relief work have to continue for the next 6 months especially for homeless. Homeless are not very happy to go back to the shelters as there is no proper arrangements of water and food and the government is not able to reach every last homeless person. Also there are not enough shelters in Mumbai either to house all the homeless, despite the Supreme Court's Orders.

Chinmayee (NIRMANA) -

In the coming time, we are going to see the cases of malnourishment, drop outs, physical/ mental violence, suicides, homelessness even more. People do not have essentials and this situation will gradually lead the country to poverty and economic distress. Health, hygiene and sanitation will also be compromised. The major fear is that the cases of untouchability, violence and stigmatisation will also take place. If this continues, then without a doubt, it will affect the domestic workers the most who face the social as well as gender discrimination on everyday basis and this situation is only going make it worse.

Dr Indu Prakash Singh, Social Activist, Writer, Homeless Expert, Delhi -

Dr Indu Prakash Singh is also a member, of the advisory panel of Delhi govt for food relief, and also a member of the State Level Shelter Monitoring Committee (SLSMC) Delhi. In response to a petition filed by him in the Supreme Court (WP (C) 572 of 2003), the Supreme Court of India said, "the circulars should focus on Portability of entitlements (rations, pensions, etc). Where they (homeless) are, govt services / schemes should reach them there. Let's trust them, than suspect them. Hunger Relief Centres should allow all who come there to get food. Mental health issues need to be attended to of all the segments of our society, especially the destitute, homeless / CityMakers, women, elderly, children, disabled, sex workers, other genders, chemically dependent people."

Pragada Vasu, Association for Urban and Tribal Development, Visakhapatnam

Pragada Vasu reports a satisfactory situation from the ground. He says, "MEPMA has allocated Rs. 100/homeless to the Shelter Management Agencies to provide 3 meals a day, and evening snacks. Apart from this, masks and soaps are to be provided additionally. Existing vacant buildings have been converted into temporary shelters and the police has been directed to identify the homeless/stranded people and get them into the nearest shelter. The beds in the shelter are

*arranged 1 meter apart. The government provides a menu to be cooked each day in the shelter.”
He is also appreciative of the awareness campaign about Covid-19 being run by the government.*

Policy Recommendations

Immediate Measures

- 1. Provision of universal cooked food for 6 months keeping in mind the nutritional and dietary needs of the homeless** - Many shelter do not have the cooking facilities even if they have it has low capacity to provide food in pandemic situation. Additional feeding centres should be set up where homeless shelters are. Added to that ensure targeted food delivery including mobile vans to go beyond known homeless clusters and shelters, under the , Meals on Wheels. This has to be continued for six months for the homeless, regardless of how the lockdown continues. It would be ideal if this programme, called Hunger Relief Centres (HRCs) in Delhi continues throughout the year, year on year, in the whole country, for the homeless.
- 2. Provisions of Universal PDS, with dry ration to homeless families for six months** – Some states have notified to provide the food to the daily earners during the lockdown. It has been noticed that food is being prepared at far places. To eat the meal homeless has to travel at distant places and police do not allow them to do so. And some homeless are living as families or groups and prefer to cook their meals, therefore such homeless be identified and dry ration through universal PDS be provided to them for the coming six months. Or like Delhi, have food served in all the shelters for the homeless.
- 3. To revise the circulars and provide clarity on sanitation facilities** – The state governments have mentioned sanitation facilities for homeless shelters. However there needs to be clarity regarding responsible authorities taking care of sanitation facilities; such as cleaning the shelters, bed sheets and blankets. Homeless are denied access to mask, soap and sanitiser at large level. Homeless suffers from pre-health issue and they are prone to be infected very easily. We demand to provide the mask, soap and sanitiser to everyone.
- 4. Provision of quarantine of the homeless and regular medical check-up in homeless shelters and hotspots** – Homeless being a very vulnerable population group have to be monitored closely for COVID 19 symptoms. We have found that homeless who carried the COVID-19 symptoms have been quarantined on the streets. Currently the state orders are only mentioning about providing medical kits. And when they show the COVID-19 symptoms. They should be shifted to the quarantine centres provided by the government and should be equipped with required facilities as per the ICMR guidelines.
- 5. Provision of temporary shelters for homeless** – With woefully inadequate number of shelters in the present. It is critical that numerous homeless shelters of temporary nature are set up

to accommodate the homeless who are living in crowded shelters. This is critical as we are in summers we don't want the homeless to be exposed to the high temperatures leading to deaths. Summer is the month when the homeless deaths peak. The governments need to have a summer plan (every season plan) to deal with this issue.

6. **Provision of water, basic services to the homeless** -There are reports of how homeless living in the open are paying toilet access charges. There are many communities or homeless clusters where water is not provided. Such clusters of homeless communities be provided access to toilets. Water be provided through connections in the long term and water tankers in the immediate

Medium Term Measures:

7. **Provisions on availability of new and adequate shelter for homeless** - We demand to provide the adequate shelter as per the guideline stated by NULM (50 sq.ft per person and each shelter being of the dimension of 1000 sq mtrs, as per the MPD 2021, clause 4.4.3 (F)). The distance between beds should be minimum one meter so as to follow the guidelines on physical distancing. The State governments should also pass orders on identifying new shelters to accommodate homeless with adequate physical distancing and basic facilities available.
8. **Provision of immediate Psycho-Social Counselling support-** Homeless have been always victims of violence (especially police brutality) harassments, and socially, economically vulnerable. In the time of pandemic they are much prone to be suffer from mental illness. State governments should provide them psycho-social counselling support during the pandemic and ensure they are not left behind.
9. **Specific focus for homeless families and women** - Homeless women and children are more vulnerable than anyone. We demand that children should be provided nutritious food considering their immune system to fight the COVID-19. Due to lockdown, women are prone to harassment and are victims of domestic violence. Ensure that women are connected with the police helpline number/women and children welfare department through the awareness drives.
10. **Address livelihood restoration and financial assistance for the homeless-** Non-payment of wages and Informal economy taking a halt have severely hampered the homeless who are also workers and wage earners. We firmly assert that homeless should be included in the safety net programmes and be provided financial aid. Financial aid may go to the identified homeless who are in special needs category like women with dependent children, elderly, other genders, and other groups with no hope of having any livelihood. Also, homeless shelters should have programmes like SHGs and livelihood opportunities / trainings be initiated for those who wish to undergo training and work in the coming months. Livelihood collectives can be created to support each other,

Long Term Measures

11. **Allocating more resources and developing an action plan for homeless under NULM SUH** - The increased allocation of resources will help in setting up of more shelters and further the livelihood/ trainings that the NULM SUH should pursue in the post -COVID 19 scenario. Also use this as an opportunity to re- think about NULM SUH guidelines and broaden it to include disasters and the role that NULM - SUH provision should play in such scenarios.

12. **Reviewing NDMA and state disaster management plans for inclusion of homelessness** - There is a need to mainstream the issues of homelessness into disaster management practices, laws and guidelines and ensure that SOPs for how to handle crisis of homeless during disasters be articulated.

13. **Formulating a policy on homelessness** - This is also an opportune time to also think beyond a scheme to address such a complicated and grave challenge as homelessness, and the MoHUA needs to draft policy on urban homeless to be adopted by states. This policy be further linked to housing and other urban development schemes and be inclusive of the post-COVID 19 reality of various kinds of urban disasters

Way Forward

The impending lockdown is anticipated to have many more phases, albeit with fewer restrictions, but far from normalcy. Therefore, we have classified our demands according to the urgency of implementation. The following were the most relevant and actionable points -

Immediate Measures - for Union and State governments

- **Emergency financial relief to the informal sector workers for lost wages and livelihood** - It is suggested that at least Rs 10,000 as one time compensation to the ALL informal sector workers is required; including the registered, those in process of being registered and un-registered workers. This will enable them to tide over the lockdowns and manage their individual and familial needs.
- **Develop National Action Plan for COVID - 19 crisis** with a much larger emergency stimulus package, at minimum 5% of the GDP to the workers - The present economic stimulus of 1% of GDP is insignificant as relief measures. A substantial sum (5% of GDP) should be allocated for the urban deprived worker communities in the stimulus package. With the economic stimulus a national action plan for this crisis is required as Ad-hoc decisions will not be beneficial.
- **Guidelines to the state on supporting and regulating informal sector livelihoods** - In the coming days, with the anticipated control over infections, it is critical to gradually allow the informal sector workforce to continue their livelihoods in a regulated and controlled manner. The Ministry of Labour & Empowerment (MoLE); Ministry of Housing & Urban Affairs (MoHUA); Ministry of Social Justice & Empowerment (MoSJE) needs to draft such guidelines in advance and share it with states who may wish to adopt them in their contexts.
- **Address the most marginal first and the issue of inclusion** - It is urgently requested that a principle of inclusion be brought in all the actions henceforth, keeping in mind the most marginal sections like the homeless, the women and children on the street, the aged and infirm, people with disabilities, the transgender people, other gender identities, single women led families, minorities and so on. The Union government should bring out detailed guidelines on inclusion of marginal population groups so that the States and ULBs can have a framework to adapt to their local contexts.
- **Establishing a database of all orders and continuous information sharing** - The daily developments on COVID-19 pandemic are daunting and tough to keep a track of. It is recommended that there be an effort to collate digitally and disseminate such critical orders and updates for wider public, civil society circulation and their engagement. This may lead to more sharing and exchanges between states and between Union & State governments.
- **Leveraging civil society, worker collectives and wider public for better implementation of COVID relief** - It is recognised that much of the emergency relief in the first phase of COVID-19 was led by the civil society and its numerous organisations, including unions and other worker collectives. Their participation at the local level will be crucial to ensure that neediest are reached out to and are supported.
- **Open process of registration of all excluded informal sector workers** - Many informal sector

worker groups are not registered nor have laws to regulate their working conditions. This requires immediate offline and online mechanisms of registration by setting low requirements for registration (like only Aadhar card number for rations in Delhi) so that the emergency relief reaches the neediest.

- **Going beyond advisories to address worker needs** - Labour officials be involved in cases of worker grievances of wages, lost livelihoods and rents and must go beyond vague advisories so that these issues are addressed in an accountable and transparent manner.
- **Free universal PDS** - Ration kits with sufficient staple grains (at least 15-20 kgs rice per month) along with other necessities like oil, spices, salt, and variety of pulses be provided through PDS systems to all urban population groups. There may not be any restriction based on card holders, and also no need to complicate it further by initiating a registration process. Those who turn up should be provided with dry ration kits. For records, temporary process of registration for PDS may be initiated.
- **Need for sanitation kits** - Many marginal population groups do not have the resources to ensure hygiene and sanitation during the lockdown. They should be provided with soaps, detergent soaps, reusable masks, sanitary pads and other essentials for thwarting spread of COVID 19.
- **Ensure free basic services to the urban deprived communities and informal sector workers** - The states should ensure that the urban poor – working class be exempted from paying electricity and water due for the coming three months. It is also important to ensure that basic services like water, electricity are provided to all communities in this period, irrespective of the legal status and condition of existence, or duration of stay. Especially keeping in mind the homeless communities and informal settlements. It is also important to note that guidelines for free community/ public toilets and bathrooms be issued so that they are accessible to all.

Medium Term Measures

- **Initiating training for informal sector workers** - In the coming months, there will be an urgent need for looking at re-training of informal sector workers on skills that are suited to post-COVID scenario. The skilling missions and specific schemes with respect to informal sector workers need to focus more on this need. This training may be with respect to regulation of informal sector activities or even skill upgradation of workers to newly identified needs and jobs. Whether it be operating with social distancing norms, facilitating home delivery mechanisms for different products from the informal sector etc.
- **Supporting worker SHGs and collectives** - Informal sector workers need to be supported and encouraged further in SHGs and collective formations like cooperatives, as such worker based institutions can collectively withstand the crisis better than individual workers. These worker collectives may be used to help in the recovery and relief in the subsequent phases of lockdowns expected.
- **Finding additional resource for loans and small income support to workers / collectives** - The informal sector workers have used all their capital and savings during the lockdown. Many workers will be dependent on private money lenders and other informal financial sources for loans

to restart businesses post the lockdown. It is requested that emergency loans be announced from the Union government to help restart informal sector trades.

- **Launch urban livelihood scheme** – Urban areas with surplus workers out of jobs will be looking for gainful employment and relief measures will not be sufficient in the longer run. In this context it is proposed that an urban livelihood scheme be initiated where workers may be enrolled and given a minimum wage for the work being executed. The manner of implementation can be similar to MNREGA.
- **Activating welfare boards and worker centric institutions** – Many institutions that are ensure workers welfare and safety of livelihoods are defunct or not working efficiently. There is a need to activate these various institutions, like welfare boards, to start planning for formalising worker welfares and livelihood protection for any such future situations.
- **Increasing shelters and food provisioning centers** – As we wade further into the crisis, the urban areas will need a reprioritisation of resources for increased number of shelters, both temporary and permanent kinds for housing the homeless and the stranded migrant labour. Also there will need to scale up the food provision centres. There could be guidelines drafted at a central level and further circulated to states for implementation.
- **Activating welfare boards and worker centric institutions** – Many institutions that are supposed to ensure workers welfare and safety of livelihoods are defunct or not working efficiently. There is a need to activate, properly fund and delegate responsibilities to these various institutions, like welfare boards, to start planning for formalising worker welfares and livelihood protection for any such future situations.

Long Term Measures

- **Reviewing National Disaster Management Act (NDMA) and its implementation** – In the many years following the announcement of NDMA, its implementation has been erratic across regions and states. Many state level actions such as disaster management plans are not drafted, or if drafted, are not developed enough to execute. The COVID-19 crisis has revealed that there are major discussions required around the NDM act, its implementation and its intersection with the urban poor and marginal groups.
- **Formalisation and recognition of the informal sector and urban marginal groups** – The COVID-19 crisis has forced us to rethink on how we should view our informal sector workers in cities. It has brought to everyone's knowledge that additional social security, worker entitlements and workers collectives are the only way going forward. Policy frameworks like the Labour Codes, that focus on contribution from informal workers and inhibit worker collectives are detrimental and will only aggravate the sufferings of workers. The crisis nudges us to rethink on such policy prospections and gives us visible evidence of why we should not have de-regulation of worker rights and entitlements, but instead enhance it.
- **Rethinking our urban spaces and policy** – The COVID crisis in India is still primarily urban in nature. The last few weeks have revealed, even more starkly, the exclusivity of our cities. The lack of formal housing and the majority being employed in the informal sector meant that the impact of

the pandemic hit the dense urban poor – working class settlements the worst. It has also shown as to how we are underprepared for urban disasters because of a lack of decentralised public service delivery and healthcare mechanisms. These visible challenges might (or should) have a long standing impact on how we plan our cities, how major urban schemes are envisaged and how we aim to implement them through a decentralised people-centric approach. This then is an opportune moment to rethink about inclusiveness, and how to make our cities more resilient and cognisant of all population groups.

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About IGSSS

Indo-Global Social Service Society is a non-profit organisation working with the mandate for inhuman social order used on truth, freedom, justice, freedom and equity. Established in 1960, IGSSS works for development, capacity building and enlightenment of vulnerable communities across the country for the effective participation in development.

With its presence in 25 states and one Union Territory of India, IGSSS has set its thematic focus on promoting sustainable livelihoods, energising the youth as change makers, protecting lives, livelihood and assets from the impact of hazards, advocating for the rights of CityMakers (Urban Poor Residents) and developing a cadre of leaders from the community and civil society organisations. Gender and Youth are underlying themes across all its interventions.



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