

NARIMAN POINT ASSOCIATION

(Regd No. 505 / 22.7.85 Soc. Regn. Act, 1860 & No. F / 10636 (Mum.) 5.9.85 Mumbai Public Trust Act 1950.)

Society Office : First Floor, Jolly Maker Chambers II, 225, Nariman Point, Mumbai - 400 021.

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NPA/LTR/2017-18/21

December 12, 2017

The Municipal Commissioner/
The Town Vending Committee,
Municipal Commissioner, BMC HO.,
Mahapalika Marg,
CSMT, Mumbai – 400 001.



Sub: Proposed Hawking Zones for Nariman Point

Dear Sir,

Nariman Point is known to be one of the prime Business District in India, Internationally renowned. Nariman Point Association is a representative body of the Societies in Nariman Point Area.

We hereby submit our objection in respect to the recent Hawking zone list proposed by the Supreme Court.

Nariman Point Association is already confronting with the Municipal Authorities for the menace caused for traffic and pedestrians due to proliferation hawking and occupation of vagrants on the footpaths.

As per the proposed plan, 305 are earmarked for Nariman Point, which amounts to 5 times of the existing strength of Hawkers.

It is in contradiction to the *First Schedule of Protection of Livelihood & Regulation of Street Vending Act, 2014*, which states,

'Street vending plan, (1) The plan shall, — (a) ensure that urban street vending activities do not lead to overcrowding and unsanitary conditions of public spaces, areas and streets and not impede the movement of the general public.'

The Metro III project is also in process where several roads are dug, the traffic movement is narrowed. Further, this also contradicts the Supreme Court Judgment dtd 9.12.2013 in the case of Maharashtra Ekta Hawkers Union vs. Municipal Corporation, Greater Mumbai (supra), which holds that

“(1) An area of 1 m × 1 m on one side of the footpath wherever they exist or on an extreme side of the carriageway, in such a manner that the vehicular and pedestrian traffic is not obstructed and access to shops and residences is not blocked. We further clarify that even where hawking is permitted, it can only be on one side of the footpath or road and under no circumstances on both sides of the footpaths or roads.”

The area around the hawking zone is occupied by Large Corporates, Foreign Embassies, Government Offices viz., Vidhan Bhavan, Shipping Corporation of India, Mantralaya etc. Banks including State Bank of

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On account of earmarking of hawking zone, pedestrians will be deprived of their right to walk on the footpath compelling them to walk on the road which will expose them to risk of hazards of accidents.

Provisions of hawking will force the present occupants in not only finding it difficult to enter into their building but also force them to migrate from this area thereby killing a business district which is internationally renowned.

We also enumerate below our concerns with respect to the proposed roads.

1. The Jamnalal Bajaj road (east side) comprises of 60 hawkers (approx.) of which only 48 are licensed hawkers. There are about 10-12 unauthorised hawkers operating on the opposite side of the road. Provisions of 103 hawkers on the eastern stretch of footpath on an assumption of occupation of 1 x 1 metre size area is not only impractical but illusory. As the space to the existing hawker is insufficient, where complaints have been registered with BMC for pedestrians walking space. We suggest an inspection be carried – out to evaluate the same. Therefore, we would like to place our objection to this.
2. The Free Press Journal Road is declared to be a 'Non-Hawking Zone' therefore, Hawking cannot be permitted. Though, it is reported that around 18-20 unauthorised hawkers operate everyday.

You have proposed 120 hawkers, we would like to place our objection to this.

3. The width of NCPA road and V. K. Shah Road footpath admeasures 7.8 feet and 11 feet respectively, it impractical that a 1 x 1 metre stall be accommodated. A Supreme Court Judgment in the case of Maharashtra Ekta Hawkers Union vs. Municipal Corporation, Greater Mumbai (supra) dtd 9.12.2013 states.

(9) No hawking would be permitted on any street which is less than 8 metres in width.


You have proposed 30 hawkers for NCPA road and 27 hawkers for V. K. Shah Road. We would like to place our objection to this.

We shall thank you to consider our objection before finalizing any policy; we also request that we be given a personal hearing.

Thanking you,

Yours Truly,

For Nariman Point Association,


Dr. Earnest John II,
Chairman