

Dhobis & Dhabas in Delhi

Kunal Datt

The licensing system of the Delhi government with regard to dhobis¹ and dhabas² seems to have been made considering the “under the table” income of the government officers. It has not only corrupted the legal framework of our society but has also given birth to innumerable problems for these small traders of goods and services who are only trying to earn a decent living for themselves.

Dhabas

In a country where 90% of the population is self-employed, the only way to develop the economy is the liberalisation of these trades. Dhaba owners may have to wait in line up to 20 years just to get the license and commence business. If the licensing system were only abolished, then it would be much simpler and economical for the business, government and also the consumer. Dhaba owners pay up to Rs 2,000 as protection money to the Delhi Police per month, a similar amount to the Prevention of Food Adulteration (Health) Department of the Municipal Corporation of Delhi (MCD), and a lot more if we include the articles of trade “pilfered” by police and health inspectors. These costs are directly transferred to the consumers who not only have to pay the salaries of the government employees through taxes, but also have to pay for their bribes by paying more for the same food, as the dhaba owner has to make up for his loss by charging more.

According to the Municipal Corporation of Delhi (MCD), a dhaba is a premise where the public is admitted for purpose of consumption of any food or drink or any place where food is sold or prepared for sale. Opening such a dhaba might become a tedious and expensive process. It requires years of patience and not just a one-time MCD fee but a recurring cost of bribing police and corporation inspectors every month. The official fees of opening a dhaba are Rs 5,000 (Registration charges) and Rs 1,000 (License fees).³ The unofficial cost usually goes up to Rs 20,000. If one wants to obtain a license then he will have to apply to the MCD on a blank paper. There is no prescribed application form. Along with this application, proof of running the trade before March 31 of the previous year is required! This might seem a little absurd considering that according to the MCD, running the trade without a license is illegal! The list of documents required during registration are as follows:⁴

- Two copies of site plan
- One copy of key plan
- Legal ownership/ tenancy proof
- NOC (No Objection Certificate) from landlord in case of co-ownership/ tenancy
- Proof of running the trade prior to March 31 of the previous year
- Proof of water and sewer connection—in case of tea shop, eating house, halwai shop, meat shop
- Indemnity bond on Rs 100 stamp paper
- Affidavit on Rs 10 stamp paper
- Structure safety certificate from registered architect
- Bank draft of Rs 100 + Rs 200 in favor of Commissioner, MCD

¹ A dhobi is a person who is in the trade/service of washing and ironing clothes.

² A dhaba is a road-side eatery.

³ Tripathi, Health Department, MCD.

⁴ Information from MCD office, Lajpat Nagar.

There is no information booklet or leaflet to inform the applicant of the procedures or of the papers to be submitted. He has to run from desk to desk in the MCD office to get the information. After all the above documents are submitted, MCD takes its own time to visit the site, approve it and give the license. For commencement of trade, a minimum of two licenses are required. One is the Health license (from MCD) and another license from the Delhi Police.

MCD has the authority to *challan* the dhaba on the following counts:

- operating without a license
- open till late
- serving alcohol without a license
- occupying public land or
- violating technical instructions

Another regulatory confusion is in the fine amount. In the technical instructions, the fine amount is specified as Rs 500 and in case of continual contravention, additional fine which may extend to Rs 20 per day. In the license issued by the MCD, the fine amount is specified as Rs 50. The police have no authority to *challan* the dhaba, it can only forward the complaint to the court and the court will decide the *challan* amount. Furthermore, it has been observed that both the licensed and unlicensed dhabas do not comply with all of the technical instructions⁵ provided by the MCD. They simply get away by bribing the officials. For example, one hardly sees a completely fly-proof dhaba.

A solution to the ever-growing problems of these dhabas would be to liberalise the process and completely abolish the licensing system! Instead of wasting precious taxpayers' money to maintain various departments who do not even do their job, the government can simply have one department to ensure the safety of the food and the police to restrict the dhabas from using public property. The consumers will then themselves shape the dhabas by going only to those which they think are safe. The dhabas will automatically have to increase their safety and cleanliness standards to satisfy their customers, else the customers will go elsewhere.

The situation of dhobis is not much different than that of dhabas.

Dhobis

The police or the MCD do not really interfere much with the operations of the dhobis but they still have to go through the complicated maze of bureaucracy to obtain a "legal" status. The MCD is required to give the dhobi license within three months of application, but that does not seem to be happening anywhere! The MCD has stopped giving the license because none of the dhobis comply with the technical instructions, which basically means that if it was left to the government, thousands of people would be left without any means to earn their livelihood! The dhobis of Delhi have formed many committees, some of them are the Delhi Dhobi Ekta Committee, Delhi Dhobi Sabha, and Sanghatan Sachiv Delhi Pradesh. The largest and most popular of these is the Delhi Dhobi Ekta Committee, having around 2,000 members and in existence since 1990. The President of this committee is H L Madora. The only demands of these committees are:⁶

- For the old ghats to be repaired and new ones be made
- For the government to make more dhobi *addays*⁷

Both these requests have already been promised to be fulfilled by the government. The dhobis have become an essential part of our day-to-day life. They provide the community the services of washing, and ironing of clothes. They provide these services at a very cheap cost. Yet most of them are given

⁵ Technical instruction Number 10 (as given by MCD) under Section 417/421 of DMC Act.

⁶ As documented by R S Madora (a dhobi in Kailash Colony, B block).

⁷ An *adday* is the dhobi's enclosure of work.

the “illegal” status as licenses are given to only those dhobis who have a proper press adday. And these *addays* are built by the MCD only, the dhobi is not allowed to build his adday. The DDA (Delhi Development Authority) and the MCD are responsible for building the press *addays* and ghats.⁸ MCD had sanctioned to make press *addays* which measure 6 feet by 6 feet. Only a few of these press *addays* were seen. These dhobis live a life of fear and insecurity. They do not have anything they can call their own, their “illegal” press *addays* may get demolished anytime by the authorities. Furthermore, since they usually conduct business in every colony in front of houses, they have to follow every wish of the owner of the property in front of which they sit/work. The owner can complain to the authorities anytime and have them removed.

The Delhi Government had sanctioned Rs 3 crore for the dhobi community through the Urban Development Corporation. This amount was to be given to the MCD in three installments, two of which have already been paid. On 4 January, 2002, the finance minister met the person-in-charge in MCD and was told that Rs 1.27 crore was still left unutilised. Therefore the third installment was held up. In 1995, the BJP government finally got some work done for the dhobis and had about 130 press addays made, but their official record shows only about 72.

Another organisation working towards the upliftment of dhobis was the *Anusutey Jati Jan Jati Vitiyan Sansthan*. They helped the dhobis make 2,000 press addays. Their policy was to make the dhobi pay for half of the cost and themselves pay the other half of the cost as subsidy, but in reality when the addays were made they forgot to take money from the dhobis and paid for it completely themselves. Currently there is no work with regards to dhobis, being done by this Sansthan. The dhobis of Shri Nivaspuri dhobi ghat also face a dispute against the Land and Development Organisation (L&DO) and MCD, as MCD had, 19 years ago, built a dhobi ghat in Shri Nivaspuri on L&DO property without permission from them. Recently the MCD was asked by L&DO to vacate the property. MCD tried to demolish the ghat but were not allowed to do so by the residents as the land had been legally made for and given to the dhobis of Shri Nivaspuri. The dispute over this property still continues!⁹

The Delhi government could easily economise on precious resources and save the dhobis a lot of trouble by abolishing the licensing system and allowing the dhobis to make their own ghats and addays, after getting the plans sanctioned by the MCD. It is increasingly becoming more and more difficult to enter into a entry-level profession. People coming from different parts of the country to metropolitan cities no longer find it easy to set up their own small enterprise and earn a decent living. They are very much hassled by the level of bureaucracy and corruption in the government offices. If these small time labourers are not allowed to grow under favourable conditions then the metro cities will soon find themselves in a labour shortage problem! Everybody will have to do all of their work instead of concentrating on their area of specialisation. This labour problem will lead to a sharp increase in the cost of living index and many other unforeseen problems!

⁸ Tripathi, MCD office, Lajpat Nagar.

⁹ H L Madora, President, Delhi Dhobi Ekta Committee.